

## EXHIBIT 6

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

ANTHONY MANGANIELLO,

Plaintiff,

-against-

THE CITY OF NEW YORK, ET AL.,

Defendants

-----X

January 30, 2008

1:25 p.m.

Deposition of Defendant DERRICK PARKER  
pursuant to Notice, at the offices of  
CORPORATION COUNSEL, 100 Church Street, New  
York, New York 10007, before Stephen Kleinman,  
a Notary Public within and for the State of  
New York.

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APPEARANCES :

OSORIO & ASSOCIATES, L.L.C.

Attorneys for Plaintiff

184 Martine Avenue

White Plains, New York 10601

BY: MICHAEL H. JOSEPH, ESQ.

MICHAEL A. CARDOZO, ESQ.

Corporation Counsel

Attorney for Defendants

100 Church Street

New York, New York 10007

BY: HILLARY A. FROMMER, ESQ.

STIPULATIONS

IT IS HEREBY STIPULATED AND AGREED by and

between the attorneys for the respective parties

hereto that all objections, except as to form,

shall be reserved to the time of trial.

IT IS FURTHER STIPULATED AND AGREED that

the sealing and filing of the within deposition

are hereby waived.

IT IS FURTHER STIPULATED AND AGREED that

the within deposition may be subscribed and sworn

to by the witness being examined before a Notary

Public other than the Notary Public before whom

this deposition was begun.

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MS. FROMMER		110

----- INFORMATION REQUESTS -----

DIRECTIONS (DI): 20, 33, 71, 72, 90, 102, 102, 103, 104, 105, 105, 107, 108, 117, 118, 120, 120, 122

INSERT: None

RULINGS (RL): 20, 33, 71, 105, 107, 120

REQUESTS (RQ): 53

CERTIFIED (CE): None

MOTIONS (MO): None

----- EXHIBITS -----

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PROCEEDINGS

\* \* \* \*

DERRICK PARKER, called as a

witness, having been duly sworn

by a Notary Public, was examined

and testified as follows:

EXAMINATION BY

MR. JOSEPH:

Q. Could you please state your

name.

A. Derrick Parker.

Q. And what is your business

address.

A. One Police Plaza, New York, New

York 10038.

Q. Sir, have you ever given a

deposition before?

A. Yes.

Q. In what matter or matters have

you given a deposition before?

A. Civil cases.

Q. Okay. What are the name or

names of the civil cases?

MS. FROMMER: I am going to

object. They were not in the context

6

8

1 PARKER  
2 of his employment as a police officer.  
3 MR. JOSEPH: I will rephrase  
4 the question.  
5 **Q. Were you ever involved in any**  
6 **civil suit arising out of your work as a**  
7 **police officer?**  
8 A. No.  
9 **Q. Okay. Did you review any**  
10 **documents prior to today's testimony?**  
11 A. I did, yes.  
12 **Q. Okay. What documents did you**  
13 **review?**  
14 A. I saw a DD5 yesterday.  
15 **Q. What DD5 was it? What did it**  
16 **pertain to?**  
17 A. It pertained to the case that  
18 we are here on.  
19 **Q. What specifically was the DD5**  
20 **about?**  
21 A. About my involvement or the  
22 trip to the DA's office with reference to  
23 this case.  
24 **Q. Are you currently employed?**  
25 A. Yes.

1 PARKER  
2 A. There was an incident arising  
3 out of my brother going to Atlantic City on a  
4 trip that the Department thought was  
5 improper.  
6 **Q. Okay. Was there an IAB charge**  
7 **arising out of that trip?**  
8 A. It was kicked back to the  
9 command level. It wasn't IAB.  
10 **Q. Okay. Was there a sustained**  
11 **finding in that matter?**  
12 A. There was.  
13 MR. JOSEPH: Is there a reason  
14 it hasn't been produced?  
15 MS. FROMMER: Because it was  
16 not a civilian complaint.  
17 **Q. Were there any other sustained**  
18 **complaints arising out of your work as a**  
19 **police officer?**  
20 A. No.  
21 **Q. What was the finding by the**  
22 **command level?**  
23 A. Warned and admonished.  
24 **Q. What specifically were you**  
25 **warned and admonished for?**

7

9

1 PARKER  
2 **Q. By whom?**  
3 A. Self-employed.  
4 **Q. What do you do?**  
5 A. Security and PI work.  
6 **Q. Okay. At some point were you**  
7 **employed by the City of New York?**  
8 A. Yes.  
9 **Q. Can you tell me approximately**  
10 **what dates?**  
11 A. From 1982 to 2002.  
12 **Q. Can you tell me, in 2002, did**  
13 **you retire, were you fired or something else?**  
14 MS. FROMMER: Objection. You  
15 can answer.  
16 A. Retired.  
17 **Q. Was there any particular reason**  
18 **you retired?**  
19 A. Twenty years.  
20 **Q. Only because you had twenty**  
21 **years in?**  
22 A. That was one of the reasons,  
23 yeah, twenty years.  
24 **Q. Okay. What were the other**  
25 **reasons?**

1 PARKER  
2 A. That my brother's presence in  
3 Atlantic City could have been interpreted --  
4 that it could have been interpreted two  
5 different ways. That is what it was.  
6 **Q. Okay. Was there any other**  
7 **reason you retired?**  
8 A. No. That was it.  
9 **Q. What was your last assignment**  
10 **prior to retiring?**  
11 A. 70 Detective Squad.  
12 **Q. From approximately when to when**  
13 **were you at the 70?**  
14 A. From November of 2001 until I  
15 retired in January of 2002.  
16 **Q. Okay. Prior to November 2001,**  
17 **what was your assignment?**  
18 A. The intelligence division.  
19 **Q. From when to when were you in**  
20 **the intelligence division?**  
21 A. From 1999 to 2001.  
22 **Q. What were your responsibilities**  
23 **in the intelligence division?**  
24 A. I was asked to create -- to  
25 track the music industry as far as the

10

12

1 PARKER  
2 investigations of rap and rap artists.  
3 Q. Okay. From 1999 through 2000,  
4 was that your sole responsibility?  
5 A. Yes, and occasionally they  
6 would ask me to do gang work.  
7 Q. Were you ever stationed at the  
8 43rd Precinct?  
9 A. No.  
10 Q. Were you ever a homicide  
11 detective?  
12 A. Yes.  
13 Q. Okay. From when to when,  
14 about?  
15 A. 1987 to '96.  
16 Q. And where were you a homicide  
17 detective?  
18 A. 75 Detective Squad, 81st  
19 Detective Squad, Brooklyn North homicide and  
20 Cold Case Squad.  
21 Q. Okay. And Brooklyn, that is  
22 one the busiest homicide squads there are,  
23 correct?  
24 MS. FROMMER: Objection. You  
25 can answer.

11

1 PARKER  
2 A. You said Brooklyn?  
3 Q. Correct. The Brooklyn homicide  
4 squad that you were assigned to, is that one  
5 of the busiest homicide squads?  
6 A. Yes, it is pretty busy.  
7 Q. Okay. So would it be fair to  
8 say that you have an understanding of what is  
9 necessary prior to commencing a murder  
10 charge?  
11 MS. FROMMER: Objection. You  
12 can answer.  
13 A. I understand what details are  
14 in a murder charge, yeah.  
15 Q. What standards, if any, were  
16 there that had to be fulfilled before a  
17 murder charge was brought against an  
18 individual by the NYPD?  
19 MS. FROMMER: At what time?  
20 MR. JOSEPH: Let's start with  
21 in 2000, 2001.  
22 MS. FROMMER: He was not a  
23 homicide detective in 2000 and 2001.  
24 MR. JOSEPH: Okay.  
25 Q. In 2000 and 2001, as part of

1 PARKER  
2 your gang and hip-hop activities, did you  
3 also investigate murder cases?  
4 A. Yes.  
5 Q. Okay. And had the standards  
6 changed at any point from when you started in  
7 1987 through 2001 --  
8 MS. FROMMER: Objection.  
9 Q. -- for commencing a murder  
10 charge?  
11 MS. FROMMER: Objection. You  
12 can answer.  
13 A. I don't know what you mean by  
14 "standards."  
15 Q. Okay. In your own words, when  
16 you first began in 1987, what was necessary,  
17 if anything, for the NYPD prior to arresting  
18 somebody and charging them for murder?  
19 A. Well, there is a lot of  
20 different factors. I mean to do a homicide  
21 investigation, you just don't go about doing  
22 a murder investigation. You have to have  
23 witnesses. You have to have evidence. You  
24 have to have ballistics evidence, forensic  
25 evidence, things like that.

13

1 PARKER  
2 I mean you just don't proceed  
3 on arresting someone. I mean the DA has to  
4 be involved. There is a lot of factors in  
5 making an arrest.  
6 Q. Okay. You listed a bunch of  
7 factors.  
8 Was there any particular test  
9 that had to be met prior to somebody being  
10 arrested or charged with murder?  
11 MS. FROMMER: Objection. You  
12 can answer, if you know.  
13 A. I don't know what you mean by  
14 "test."  
15 Q. Okay. We will come back to  
16 that.  
17 A. Okay.  
18 Q. Prior to being a homicide  
19 detective, what if anything did you do? What  
20 was your assignment?  
21 A. I was an undercover cop in  
22 narcotics.  
23 Q. Okay. Where?  
24 A. In the Bronx.  
25 Q. And from approximately when to



14

16

1 **PARKER**  
2 **when?**  
3 A. From 1984 to 1987.  
4 **Q. When you were an undercover cop**  
5 **doing narcotics, was there also another**  
6 **undercover detective Luis Agostini? Did you**  
7 **know him?**  
8 A. I don't know him.  
9 **Q. Okay. Did you ever know Sean**  
10 **Abate from undercover narcotics work?**  
11 A. I don't know him either.  
12 **Q. Okay. I think I asked you this**  
13 **just in regard to the undercover narcotics**  
14 **work.**  
15 **But aside from the undercover**  
16 **narcotics work, did you know Luis Agostini?**  
17 A. No.  
18 **Q. Okay. How about, did you know**  
19 **Lieutenant Harry Scott?**  
20 A. No.  
21 **Q. Did you know an Officer Alex**  
22 **Perez?**  
23 A. No.  
24 **Q. Okay. How about an Officer**  
25 **Miriam Nieves?**

15

1 **PARKER**  
2 A. It doesn't ring a bell, no.  
3 **Q. Did you know an Officer Michael**  
4 **Phipps?**  
5 A. Him I know as inspector.  
6 **Q. And what was your work history**  
7 **or relationship with Michael Phipps?**  
8 MS. FROMMER: Objection. You  
9 can answer.  
10 A. We had no work history. He was  
11 just the commanding officer, I think, of the  
12 43rd Precinct.  
13 **Q. Okay. How did you come work**  
14 **with Michael Phipps, if at all, during your**  
15 **career?**  
16 MS. FROMMER: Objection. You  
17 can answer.  
18 A. I never worked with Michael  
19 Phipps. Again, I explained to you, he was  
20 the commanding officer of the 43rd Precinct.  
21 **Q. Is he just someone whose name**  
22 **you knew?**  
23 A. Yes.  
24 **Q. Okay. Did you also know a John**  
25 **McGovern?**

1 **PARKER**  
2 MS. FROMMER: Objection. You  
3 can answer.  
4 A. No.  
5 **Q. Okay. How about Gerald**  
6 **McCarthy?**  
7 A. No.  
8 **Q. And with respect to the time**  
9 **you were in the intel department, did you**  
10 **ever work with the detectives in the 43rd**  
11 **Precinct?**  
12 A. I met with some detectives,  
13 yeah.  
14 **Q. How often would you meet with**  
15 **the detectives in the 43rd Precinct?**  
16 MS. FROMMER: Objection. You  
17 can answer.  
18 A. Not often at all.  
19 **Q. Was it on a case-by-case basis**  
20 **or was it something more regular?**  
21 A. It would be a case-by-case  
22 basis.  
23 **Q. And do you have any**  
24 **recollection of a meeting with Detective**  
25 **Agostini at all?**

17

1 **PARKER**  
2 A. No.  
3 **Q. Okay. While you were at this**  
4 **intelligence division, were you also**  
5 **investigating narcotics cases?**  
6 A. No.  
7 **Q. Okay. I am just trying to get**  
8 **a feel for what you were doing.**  
9 **As part of this hip-hop**  
10 **intelligence division, were you investigating**  
11 **crimes only related to hip-hop or were you**  
12 **investigating other cases also? And if you**  
13 **were investigating other cases also, how**  
14 **would that come about?**  
15 MS. FROMMER: Objection. You  
16 need to break that down, because I  
17 didn't understand what you were  
18 asking.  
19 MR. JOSEPH: All right.  
20 **Q. While you were in the**  
21 **intelligence division, you told us you were**  
22 **investigating hip-hop activities, so to**  
23 **speak, correct?**  
24 A. Correct.  
25 **Q. Okay. How would you come to**

5 (Pages 14 to 17)

18

20

1 **PARKER**  
 2 **investigate something other than a hip-hop**  
 3 **activity?**  
 4 MS. FROMMER: Objection. You  
 5 can answer, if you can.  
 6 A. If I was asked to do something  
 7 else, I would investigate it. If a CO, or  
 8 commanding officer, asked me to do something  
 9 else, I would.  
 10 **Q. And who was the CO? Did you**  
 11 **report to a specific CO or was it different**  
 12 **COs?**  
 13 A. Different.  
 14 **Q. Okay. Between 1998 and 2001,**  
 15 **were you actively investigating crimes that**  
 16 **occurred in the Bronx?**  
 17 MS. FROMMER: Objection. You  
 18 can answer.  
 19 A. I don't know about actively  
 20 investigating. I mean my job sends me all  
 21 around the five boroughs. So...  
 22 **Q. Did you ever know a gentlemen**  
 23 **named Albert Acosta?**  
 24 A. No.  
 25 **Q. Okay. Was he a hip-hop artist**

19

1 **PARKER**  
 2 **affiliated with hip-hop in any way?**  
 3 A. I don't know who he is.  
 4 **Q. Okay. Prior to February 12,**  
 5 **2001, did you ever know a gentleman named**  
 6 **Anthony Manganiello?**  
 7 A. No.  
 8 **Q. Did you know a gentlemen**  
 9 **Terrance Alston?**  
 10 A. Yes, I know a Terrance Alston.  
 11 **Q. How do you know Terrance**  
 12 **Alston?**  
 13 A. He was a confidential informant  
 14 of mine.  
 15 **Q. Okay. When did he become a**  
 16 **confidential informant of yours?**  
 17 A. I don't remember the year, but  
 18 he became a confidential informant of mine.  
 19 I don't remember the year.  
 20 **Q. Okay. Can you give me an**  
 21 **approximate?**  
 22 A. No.  
 23 **Q. How did Terrance Alston come to**  
 24 **become a confidential informant?**  
 25 A. He was incarcerated in a New

1 **PARKER**  
 2 York City correction division, correction  
 3 facility and he reached out to another  
 4 informant to talk to me.  
 5 \*R Q. What informant did he reach out  
 6 to?  
 7 DI MS. FROMMER: Objection. I am  
 8 going to instruct him not to answer.  
 9 MR. JOSEPH: Mark it for a  
 10 ruling.  
 11 MS. FROMMER: Okay.  
 12 **Q. What information were you given**  
 13 **by this other confidential informant**  
 14 **concerning Mr. Alston?**  
 15 MS. FROMMER: Objection.  
 16 Without identifying the other  
 17 confidential informant, if you can,  
 18 give him the information, if you can.  
 19 A. That he had information on a  
 20 crime.  
 21 **Q. Okay. Did he tell you what**  
 22 **crime?**  
 23 A. Mr. Alston did.  
 24 **Q. No.**  
 25 A. Who are you referring to now?

21

1 **PARKER**  
 2 **Q. The unnamed confidential**  
 3 **informant, did he tell you what crime Mr.**  
 4 **Alston had information on?**  
 5 A. No.  
 6 **Q. Okay. Do you know how this**  
 7 **other CI knew Mr. Alston?**  
 8 A. They were in the same cell  
 9 together.  
 10 **Q. At Rikers Island?**  
 11 A. Rikers.  
 12 **Q. Without identifying this CI,**  
 13 **this unnamed a CI, was he a member of any**  
 14 **criminal organization?**  
 15 MS. FROMMER: Objection. You  
 16 can answer.  
 17 A. Not that I know of.  
 18 **Q. Okay. Was he a member of the**  
 19 **Bloods?**  
 20 A. No.  
 21 **Q. Do you know if Mr. Alston was a**  
 22 **member of the Bloods?**  
 23 A. I believe he was a Blood.  
 24 **Q. What was the first thing you**  
 25 **did when you learned that this Mr. Alston**

22

24

1 PARKER  
2 might have information on a crime?  
3 A. Took down the information that  
4 he had.  
5 Q. Okay. But my question is, did  
6 you speak to him on the phone? Did you go to  
7 Rikers Island?  
8 A. I went to Rikers.  
9 Q. Prior to going to Rikers  
10 Island, did you do any investigating as to  
11 why he was in Rikers Island?  
12 A. Yes, I ran his rap sheet.  
13 Q. Okay. And what happened to his  
14 rap sheet after you ran it?  
15 A. It was given to the -- it was  
16 placed in a folder for the informants and  
17 given to the CO.  
18 Q. Okay. And what was on the rap  
19 sheet?  
20 A. That he was arrested for  
21 several crimes and he was incarcerated.  
22 Q. Was this sometime in -- was  
23 this before or after he had been convicted of  
24 these crimes?  
25 MS. FROMMER: Objection.

23

1 PARKER  
2 A. Can you rephrase that question?  
3 Q. In other words, you said that  
4 Mr. Alston was incarcerated at the point in  
5 time when you met him, correct?  
6 A. Correct.  
7 Q. Okay. Had he already been  
8 convicted or was he awaiting a trial?  
9 A. He was a pretrial detainee.  
10 Q. Pretrial detainee. At the time  
11 that you met Mr. Alston, had he been  
12 indicted?  
13 A. Not that I know of.  
14 MS. FROMMER: Objection. You  
15 can answer, if you can.  
16 A. Not that I know of.  
17 Q. Did you become aware of what  
18 crimes he was being detained for?  
19 A. An assault.  
20 Q. Was it actually an attempted  
21 murder?  
22 A. I don't remember that.  
23 Q. Okay.  
24 MS. FROMMER: I just want to  
25 clarify something on the record. You

1 PARKER  
2 have been asking questions and I  
3 believe Detective Parker has been  
4 answering questions about the first  
5 time when Mr. Alston was signed up,  
6 when he first learned about Mr. Alston  
7 to become a confidential informant.  
8 THE WITNESS: Right.  
9 Q. Even if you can't us a date,  
10 when you first met Mr. Alston, were you  
11 already in this hip-hop intelligence unit?  
12 A. Yes.  
13 MR. JOSEPH: Can I have this  
14 marked as Plaintiff's Exhibit 30?  
15 (Plaintiff's Exhibit 30,  
16 indictment, marked for  
17 identification.)  
18 Q. Sir, I will ask you to take a  
19 look at what has been marked as Plaintiff's  
20 Exhibit 30. Would you read through this and  
21 let me know when you have had sufficient  
22 opportunity.  
23 MS. FROMMER: Just for the  
24 record, this is a six-page document  
25 that appears to have a stamp that says

25

1 PARKER  
2 March 24, 1998, an indictment from the  
3 Supreme Court State of New York,  
4 County of Bronx.  
5 A. Okay.  
6 Q. Sir, does this document refresh  
7 your recollection at all as to what charges  
8 Mr. Alston was facing when you first met him?  
9 MS. FROMMER: Why don't you ask  
10 him if he has ever seen the document  
11 before?  
12 MR. JOSEPH: It is not a  
13 required foundational question. I can  
14 refresh his recollection. As they  
15 said in my law school exam, I can  
16 refresh it even with fettuccini.  
17 MS. FROMMER: Okay. Well, I am  
18 going to object to this line of  
19 questioning. You haven't even asked  
20 this witness if he has ever seen this  
21 document. Now you are proceeding to  
22 ask him questions about information on  
23 a document that he may or may not have  
24 ever seen.  
25 Q. I am asking, sir, does this



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1 PARKER  
2 refresh -- after looking at the document,  
3 does this refresh your recollection as to  
4 what charges, if any, Mr. Alston was facing  
5 when you first met him?  
6 A. This does not, no.  
7 Q. Have you ever seen this  
8 document before?  
9 A. No, I have not.  
10 Q. Okay. Other than running Mr.  
11 Alston's rap sheet, did you do any  
12 investigation into the crimes which he was  
13 being charged with at the time?  
14 MS. FROMMER: Objection. You  
15 can answer.  
16 A. No.  
17 Q. Okay. Do you have any  
18 recollection, one way or another, if you met  
19 Mr. Alston after March 5, 1998?  
20 A. Yes. I was in the intelligence  
21 division. Oh, no, sorry. Yeah, it would  
22 have to be after 1998.  
23 Q. Okay. And what did Mr. Alston  
24 say to you when you first met him?  
25 A. That he had information on a

27

1 PARKER  
2 murder in the Bronx.  
3 Q. And when did you first meet  
4 with him?  
5 A. When I went to Rikers Island.  
6 Q. And when was that?  
7 A. Before I retired.  
8 Q. Okay. Was that in the year  
9 2000, the year 2001?  
10 MS. FROMMER: I just want to  
11 clarify.  
12 Are you asking about the first  
13 conversation that he ever had with  
14 Terrance Alston?  
15 MR. JOSEPH: Of course.  
16 MS. FROMMER: The first time he  
17 ever met him?  
18 MR. JOSEPH: Correct.  
19 Q. What year was it when you first  
20 met Terrance Alston?  
21 A. I don't remember that.  
22 Q. Do you recall what month or  
23 what season it was?  
24 MS. FROMMER: Objection. You  
25 can answer.

28

1 PARKER  
2 A. No.  
3 Q. Did you take any written notes  
4 concerning what Mr. Alston told you?  
5 A. I'm sure I did.  
6 Q. Okay. Where are those notes?  
7 A. I have been retired for six  
8 years. I don't know.  
9 Q. What happened to the notes  
10 after you took them?  
11 A. They were probably left in the  
12 file somewhere.  
13 Q. Okay. What file were they left  
14 in?  
15 A. Confidential informant file.  
16 Q. And what happens to the  
17 confidential informant file?  
18 A. It gets filed with the  
19 confidential informants.  
20 Q. Okay. So would it be fair to  
21 say whatever Mr. Alston told you on that day  
22 would still be sitting in the file somewhere  
23 wherever the confidential informant files are  
24 kept?  
25 MS. FROMMER: Objection. You

29

1 PARKER  
2 can answer.  
3 A. It could be. Or whatever he  
4 told me, I gave it to someone else. So you  
5 could check there also.  
6 Q. Okay. What did Mr. Alston tell  
7 you?  
8 A. About a murder in the Bronx.  
9 Q. What did he say?  
10 A. He told me that he had  
11 information about a murder involving a  
12 security guard.  
13 MS. FROMMER: This is the first  
14 time you ever met Terrance Alston?  
15 THE WITNESS: This is the first  
16 time I ever met him.  
17 MS. FROMMER: He is asking you  
18 about information when you were first  
19 learning that Terrance Alston was  
20 becoming a CI.  
21 THE WITNESS: Oh, I'm sorry.  
22 A. Rephrase the question  
23 MS. FROMMER: We are going back  
24 to when Terrance Alston was first  
25 becoming a confidential informant,

30

1 PARKER  
2 that conversation.  
3 THE WITNESS: Right.  
4 A. Refreshing my memory now, when  
5 I first met him, of course we spoke about  
6 other things. But when I went to Rikers  
7 Island, he had more information to tell me.  
8 So I went to Rikers Island to see him.  
9 **Q. What did he tell you the first**  
10 **time you spoke to him?**  
11 A. That he had information. He  
12 talked about a bunch of things in the Bronx  
13 and he knew about people that had guns,  
14 people involved in gangs, people in the  
15 record industry, things like that.  
16 **Q. Okay. How did he know about**  
17 **people in the record industry?**  
18 A. He knew people from his  
19 neighborhood that became rappers.  
20 **Q. And was one of them Baby Ace?**  
21 A. I don't recall that.  
22 **Q. Okay. Do you know of a young**  
23 **rapper named Baby Ace from the Parkchester**  
24 **section of the Bronx?**  
25 A. No.

31

1 PARKER  
2 **Q. What else? What else? You are**  
3 **giving me sort of generals. What exactly did**  
4 **Terrance Alston tell you?**  
5 MS. FROMMER: Objection. You  
6 can answer.  
7 A. I am telling you what he told  
8 me.  
9 **Q. Okay. Did he give you any more**  
10 **specific information other than he knew about**  
11 **guns and he knew about some rappers?**  
12 A. No.  
13 **Q. What if anything did he**  
14 **indicate -- did he indicate to you that he**  
15 **wanted something in exchange for this**  
16 **information?**  
17 MS. FROMMER: Objection. You  
18 can answer.  
19 A. He didn't say he wanted  
20 anything in exchange.  
21 **Q. Okay. Do you have any**  
22 **understanding of why Mr. Alston was**  
23 **contacting you?**  
24 MS. FROMMER: Objection. Are  
25 you asking for Terrance Alston's state

32

1 PARKER  
2 of mind?  
3 You can answer, if you can.  
4 MR. JOSEPH: I am asking him if  
5 Terrance Alston said to him why he was  
6 willfully providing this information.  
7 MS. FROMMER: That is another  
8 question.  
9 You can answer.  
10 A. Because he spoke to another CI  
11 who told him where to call.  
12 **Q. Okay. And other than what you**  
13 **have just told me the first time you spoke**  
14 **with Mr. Alston, was anything else said?**  
15 A. No.  
16 **Q. Was this before or after --**  
17 **this first conversation, do you have any**  
18 **recollection of when it took place?**  
19 MS. FROMMER: Objection. You  
20 can answer again.  
21 A. I don't recall.  
22 **Q. Okay. How soon after the**  
23 **telephone conversation did you go and see Mr.**  
24 **Alston?**  
25 A. You mean at Rikers Island?

33

1 PARKER  
2 **Q. Correct.**  
3 A. As soon as he -- as soon as I  
4 got the phone call, I went out there to go  
5 see him.  
6 **Q. The same day, within a day?**  
7 MS. FROMMER: Objection. You  
8 can answer.  
9 A. I don't remember if it was the  
10 same day. I believe it was the same day.  
11 \*R **Q. Okay. By the way, the cell**  
12 **mate who your confidential was his cell mate,**  
13 **was he from the Parkchester section of the**  
14 **Bronx?**  
15 DI MS. FROMMER: Objection I am  
16 instructing him not to answer.  
17 MR. JOSEPH: Mark that again  
18 for a ruling.  
19 **Q. By the way, without telling me**  
20 **the identity of the confidential informant,**  
21 **who I guess linked Mr. Alston and you up, did**  
22 **you know this confidential informant outside**  
23 **of your police work?**  
24 MS. FROMMER: Objection. You  
25 can answer, if you can.

34

1 PARKER  
 2 A. No.  
 3 Q. Okay. Have you ever been to a  
 4 party with that other confidential informant?  
 5 MS. FROMMER: Objection.  
 6 Q. Or at a club?  
 7 MS. FROMMER: Objection. You  
 8 can answer.  
 9 A. No.  
 10 Q. Okay. Prior to getting this  
 11 phone call from Mr. Alston, had you ever  
 12 known anything about him? In other words,  
 13 did you do any investigations into him? Had  
 14 you ever heard of him prior to that first  
 15 phone call?  
 16 MS. FROMMER: Objection. You  
 17 can answer.  
 18 A. No.  
 19 Q. Okay. Other than the charges  
 20 Mr. Alston was being charged with at the time  
 21 he called you, did you have any information  
 22 about prior charges on Mr. Alston?  
 23 MS. FROMMER: Objection. You  
 24 can answer.  
 25 A. No.

35

1 PARKER  
 2 Q. Okay. Do you have a  
 3 recollection, as you sit here right now, as  
 4 to whether there were other convictions on  
 5 his rap sheet, aside from the criminal  
 6 charges he was facing, at the time that you  
 7 went to see him at Rikers Island?  
 8 MS. FROMMER: Objection. I  
 9 just want to clarify. You are the  
 10 saying that the criminal charges that  
 11 were pending against him at the time  
 12 were on his rap sheet, and I don't  
 13 believe that is accurate.  
 14 You can answer the first part  
 15 of the question.  
 16 A. I'm sorry. Can you repeat the  
 17 question?  
 18 Q. On the first day that you went  
 19 to see Mr. Alston, did his rap sheet indicate  
 20 he had any prior convictions?  
 21 A. Yes.  
 22 Q. Okay. What had he been  
 23 convicted of?  
 24 A. I don't remember. I don't  
 25 recall.

36

1 PARKER  
 2 Q. Do you have any recollection if  
 3 there was a robbery on there?  
 4 A. I don't recall.  
 5 Q. Or several?  
 6 MS. FROMMER: Objection. You  
 7 can answer.  
 8 Q. Sir, when dealing with  
 9 confidential informants, is their prior  
 10 criminal background something you consider  
 11 when determining their believability?  
 12 A. That varies.  
 13 Q. Okay. How so?  
 14 A. I think you are asking me, if a  
 15 guy has a criminal charge, I am going to  
 16 believe him or not believe because he has  
 17 committed a crime before? Is that what your  
 18 question is?  
 19 Q. My question is, sir, in other  
 20 words, when you are working with CIs, do you  
 21 consider that fact that they have been  
 22 convicted of other crimes or they are  
 23 currently facing other criminal crimes when  
 24 you determine whether or not they are  
 25 believable?

37

1 PARKER  
 2 MS. FROMMER: Objection.  
 3 Q. Or trustworthy?  
 4 MS. FROMMER: Objection. You  
 5 can answer.  
 6 A. There is a lot of  
 7 considerations. I mean that could be one  
 8 factor.  
 9 Q. Okay. Is that is one factor  
 10 which you consider when determining whether  
 11 or not you can believe what a CI is telling  
 12 you?  
 13 A. I don't know. That's a hard  
 14 question to answer.  
 15 Q. What else was in the -- did you  
 16 have a CI file for Mr. Alston?  
 17 A. Yes.  
 18 Q. At that time you were in the  
 19 gang intelligence unit, what was the  
 20 procedure for a person to become a CI?  
 21 MS. FROMMER: Objection. You  
 22 can answer.  
 23 A. There wasn't really a  
 24 determining procedure.  
 25 Q. Okay.

10 (Pages 34 to 37)

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40

1 **PARKER**

2 A. If he is giving you  
3 information, you take down his information,  
4 his pedigree information, take down what he  
5 has to say to you and you try to verify it  
6 some way, if you can. But it doesn't work  
7 that way with every CI, because every CI is  
8 different.

9 **Q. Okay. What did Mr. Alston say**  
10 **to you the first time that you went to Rikers**  
11 **Island?**

12 A. He told me that he had  
13 information about a murder in the Bronx.

14 MS. FROMMER: This is when?

15 THE WITNESS: This is when I  
16 went to Rikers Island. That is what  
17 he said.

18 MS. FROMMER: Okay.

19 **Q. What did he say? What**  
20 **information did he say he had?**

21 A. He had information on a murder  
22 about a security guard in the Parkchester  
23 area of the Bronx.

24 **Q. Did you have this conversation**  
25 **with him before he was convicted or after he**

1 **PARKER**

2 Island.

3 **Q. Other than, quote unquote, he**  
4 **had information, did he give anything more**  
5 **specific?**

6 MS. FROMMER: Objection. You  
7 can answer.

8 A. No. I think he gave the  
9 detective something more specific, because it  
10 was their case.

11 **Q. Was Mr. Alston given anything**  
12 **for providing this information?**

13 MS. FROMMER: Objection. You  
14 can answer.

15 A. I don't know anything about  
16 that.

17 **Q. Okay. Do you know if he**  
18 **received a reduction in charges because of**  
19 **the information he provided?**

20 A. I don't know.

21 **Q. Did you ever give Terrance**  
22 **Alston money?**

23 A. No.

24 **Q. Okay. At some point did -- you**  
25 **are sure about that?**

39

41

1 **PARKER**

2 **was convicted?**

3 A. I just said he was a pretrial  
4 detainee.

5 **Q. Okay. What specifically did he**  
6 **say?**

7 MS. FROMMER: Objection. You  
8 can answer again.

9 **Q. I know he said he has**  
10 **information.**

11 A. He has information about a  
12 murder.

13 **Q. Right.**

14 A. He knew a guy who was involved  
15 in a murder in the Parkchester part of the  
16 Bronx.

17 **Q. Okay. What did you say when he**  
18 **told you that?**

19 A. Once he told me the  
20 information, I had to verify it. So I called  
21 the 43 Precinct to see if in fact they had a  
22 murder. They said they did.

23 **Q. Okay.**

24 A. And once I spoke to a detective  
25 there, the detectives came out to Rikers

1 **PARKER**

2 A. Pretty sure.

3 **Q. Did you ever work with Terrance**  
4 **Alston after -- after that one meeting, did**  
5 **you ever speak to Terrance Alston again?**

6 A. Yeah.

7 **Q. When did you speak with**  
8 **Terrance Alston again?**

9 A. I don't recall. Maybe a couple  
10 of times of after that.

11 **Q. Can you tell me how soon after**  
12 **the first meeting did those two meetings**  
13 **occur?**

14 MS. FROMMER: Objection.

15 A. You are confusing me. Are you  
16 talking about the first time I met him or are  
17 you talking about Rikers Island? I mean are  
18 you talking about the first time we had a  
19 conversation or are you talking about the  
20 first time that I met him at Rikers Island?

21 **Q. I am asking, after the first**  
22 **time that you met him at Rikers Island, how**  
23 **much time passed between that point in time**  
24 **and the next time you spoke with him?**

25 A. Maybe a week.



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44

1 PARKER  
2 Q. Okay. And how did that second  
3 conversation come about?  
4 A. I don't recall.  
5 Q. Was it in person or over the  
6 telephone?  
7 A. It could have been over the  
8 telephone. You know, it could have been over  
9 the telephone, because I get phone calls. So  
10 I don't remember.  
11 Q. What did Mr. Alston say to you  
12 and what did you say to him?  
13 A. I can't tell you. I don't  
14 remember.  
15 Q. Okay. When was the next time  
16 you met with Mr. Alston?  
17 A. Again, I don't remember after  
18 that.  
19 Q. Did Mr. Alston ever give you  
20 any more specific information other than he  
21 knew about a murder in the Bronx?  
22 MS. FROMMER: Regarding the  
23 murder in the Bronx?  
24 MR. JOSEPH: Correct.  
25 MS. FROMMER: Okay, you can

43

1 PARKER  
2 answer.  
3 A. To the best of my knowledge, I  
4 don't remember.  
5 Q. Okay. Did Mr. Alston give you  
6 information about any other crimes other than  
7 this murder in the Bronx?  
8 A. I don't remember.  
9 Q. Was Mr. Alston -- do you know  
10 if Mr. Alston was ultimately convicted of  
11 just weapons possession?  
12 MS. FROMMER: Objection. You  
13 can answer.  
14 A. I don't know.  
15 Q. Do you have any idea of how or  
16 why an attempted murder charge and an assault  
17 and the first charge would get dismissed  
18 after you meet with Mr. Alston?  
19 MS. FROMMER: Objection. You  
20 can answer.  
21 A. I don't know.  
22 Q. By the way, when you spoke to  
23 Mr. Alston, did you give him what is commonly  
24 known as a "Queen for the Day Agreement"?  
25 MS. FROMMER: Objection. You

1 PARKER  
2 can answer.  
3 A. I don't give out those  
4 agreements.  
5 Q. Okay. Do you know what a  
6 "Queen for the Day Agreement" is?  
7 A. I know what is, yes.  
8 Q. And just so we have it for the  
9 record, what is a "Queen for the Day  
10 Agreement"?  
11 A. It is when a defendant comes in  
12 and he speaks in front of a district attorney  
13 or a U.S. Attorney and they grant him some  
14 immunity for what he is going to tell him for  
15 crimes.  
16 Q. When you first met Mr. Alston  
17 at Rikers Island, did you debrief him about  
18 everything he knew?  
19 A. I believe I debriefed him about  
20 the murder in the Bronx.  
21 Q. Did you debrief him about  
22 anything else?  
23 A. I may have, but I don't  
24 remember.  
25 Q. Okay. In debriefing him, did

45

1 PARKER  
2 he admit to any involvement in the murder in  
3 the Bronx?  
4 A. Not that I recall.  
5 Q. Had he admitted to any  
6 involvement in the murder in the Bronx, would  
7 you have placed him under arrest or charged  
8 him?  
9 MS. FROMMER: Objection. You  
10 can answer.  
11 A. That wouldn't have been up to  
12 me. It would have been up to the district  
13 attorney.  
14 Q. Okay. When you first met him,  
15 did he tell you that he agreed to do a hit  
16 for hire on this particular security guard in  
17 the Bronx?  
18 A. No.  
19 Q. Is that something that you  
20 would recall if he told you that?  
21 A. It would probably stick out.  
22 Q. If a confidential informant had  
23 admitted to agreeing to do a hit for hire,  
24 would you have pressed charges?  
25 MS. FROMMER: Objection. You

12 (Pages 42 to 45)



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48

1 PARKER  
2 can answer.  
3 A. It is not for me to press  
4 charges. It is for the DA.  
5 Q. Okay. Would you have passed --  
6 had a confidential informant told you that he  
7 had agreed to do a hit for hire on a security  
8 guard, would you have passed that information  
9 along to the district attorney's office?  
10 MS. FROMMER: Objection. You  
11 can answer.  
12 A. Sure, I'm sure I would have  
13 done that, sure.  
14 Q. Okay. Did you ever meet with  
15 Mr. Alston any place other than Rikers  
16 Island?  
17 A. I believe I went to the DA's  
18 office one time with him.  
19 Q. Okay. Do you know if Mr.  
20 Alston had given any information that turned  
21 out to be false?  
22 MS. FROMMER: About what?  
23 MR. JOSEPH: About this murder.  
24 MS. FROMMER: Okay. You can  
25 answer.

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1 PARKER  
2 A. I don't know.  
3 Q. By the way, did Mr. Alston ever  
4 tell you that he knew somebody who sold a  
5 person a gun that was involved in this murder  
6 in the Bronx?  
7 A. I don't recall that.  
8 Q. Is that something that you  
9 would recall?  
10 A. I don't recall it. So I  
11 wouldn't recall it. If I said I didn't  
12 recall, I didn't recall.  
13 Q. Okay. Was that something that  
14 would kind of stick out in your mind?  
15 MS. FROMMER: Objection. You  
16 can answer.  
17 A. I can't say that, no.  
18 Q. Did you discuss either a  
19 reduction in the charge or an early release  
20 with Mr. Alston in exchange for the  
21 information he was providing?  
22 MS. FROMMER: Objection. You  
23 can answer.  
24 A. No.  
25 Q. Sir, have you ever promised a

1 PARKER  
2 confidential informant early release in  
3 exchange for information?  
4 A. No.  
5 Q. Never?  
6 A. No.  
7 Q. Okay. Sir, have you ever given  
8 money to a witness?  
9 MS. FROMMER: Objection. You  
10 can answer.  
11 A. A witness, yes.  
12 Q. Under what circumstances would  
13 you give money to a witness?  
14 A. For food or living  
15 arrangements.  
16 Q. Okay. And that would be a  
17 witness who is identifying somebody, correct?  
18 MS. FROMMER: Objection.  
19 Q. As a perpetrator?  
20 MS. FROMMER: Objection. You  
21 can answer.  
22 A. That could be a witness  
23 involved in a case that may need things. You  
24 know, it all depends, myself or the DA's  
25 office.

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1 PARKER  
2 Q. I'm sorry, I didn't hear that.  
3 A. I said it could be a witness  
4 involved in a case that may need lodging or  
5 may need food. If the DA's office determines  
6 that they want to put this person up, you can  
7 do it that way also.  
8 Q. Prior to a DA getting involved  
9 in a case, have you ever given a witness  
10 money?  
11 A. Yes.  
12 MS. FROMMER: Objection. You  
13 can answer.  
14 A. Yes.  
15 Q. Why would you give a witness  
16 money?  
17 A. So they could make phone calls,  
18 call me and get food.  
19 Q. Did you give any witnesses  
20 money concerning the investigation into the  
21 homicide of the Bronx Parkchester security  
22 guard?  
23 A. No.  
24 Q. Okay. Do you know if Mr.  
25 Alston ever referred to you as his meal

50

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1 PARKER  
 2 ticket?  
 3 A. No.  
 4 Q. Was that a common thing you  
 5 did?  
 6 MS. FROMMER: Objection.  
 7 A. What do you mean?  
 8 Q. Was it common for you to give  
 9 money to witnesses in criminal  
 10 investigations?  
 11 MS. FROMMER: Objection. You  
 12 can answer.  
 13 A. Not common.  
 14 Q. Okay. Were you aware that Mr.  
 15 Alston was ultimately sentenced to four  
 16 years?  
 17 A. I don't recall.  
 18 Q. Did Mr. Alston ever tell you  
 19 about a gentleman named Johnnie Baker who  
 20 allegedly sold somebody a gun involved in a  
 21 murder?  
 22 A. I don't recall.  
 23 Q. If that information had been  
 24 provided to you, would you have attempted to  
 25 verify it?

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1 PARKER  
 2 A. If it was provided to me, yeah.  
 3 Q. Okay. Was your CI file ever  
 4 given to the district attorney's office?  
 5 A. That I can't say. I don't  
 6 remember.  
 7 Q. Okay. Was it your custom and  
 8 practice to give the district attorney's  
 9 office a copy of the confidential informant  
 10 file if a confidential informant became a  
 11 witness?  
 12 MS. FROMMER: Objection. You  
 13 can answer.  
 14 A. No.  
 15 Q. Okay. And would it be fair to  
 16 say that, if the confidential informant's  
 17 file were never given to the district  
 18 attorney, it would never be given to the  
 19 defense counsel in a particular case,  
 20 correct?  
 21 MS. FROMMER: Objection. You  
 22 can answer, if you can.  
 23 A. I can't.  
 24 Q. All right. Did you ever give  
 25 the confidential informant file for Terrance

1 PARKER  
 2 Alston to anybody in the assistant district  
 3 attorney's office?  
 4 MS. FROMMER: Objection. you  
 5 can answer again.  
 6 A. To the best of my knowledge,  
 7 no.  
 8 Q. If Mr. Alston were provided a  
 9 deal for early release, would the parameters  
 10 of that deal be in the confidential informant  
 11 file?  
 12 MS. FROMMER: Objection. you  
 13 can answer.  
 14 A. That would be up to the  
 15 district attorney's office.  
 16 Q. Sir, did you ever get a -- did  
 17 you ever broker deals where felony charges  
 18 were dropped in exchange for testimony?  
 19 MS. FROMMER: Objection. You  
 20 can answer.  
 21 A. I don't make deals.  
 22 Q. Okay. Well, did you ever talk  
 23 an assistant district attorney into dropping  
 24 felony charges in exchange for criminal  
 25 testimony?

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1 PARKER  
 2 A. No.  
 3 MR. JOSEPH: Let's mark this.  
 4 MS. FROMMER: Just for the  
 5 record you are using an exhibit at the  
 6 deposition that has not been produced  
 7 to me in discovery.  
 8 RQ So I am going to request an  
 9 entire copy of that be produced to me  
 10 in discovery, please.  
 11 MR. JOSEPH: I have no problem.  
 12 For the record, it is something used  
 13 only for impeachment and not  
 14 affirmatively, and under Rule 26 it  
 15 doesn't have to be. That being said,  
 16 I have no objection giving you a copy.  
 17 MS. FROMMER: Actually if you  
 18 are intending to enter something as an  
 19 exhibit, you have an obligation to  
 20 provide me with a copy.  
 21 MR. JOSEPH: Which I will.  
 22 MS. FROMMER: And whether or  
 23 not you have a copy of that, you are  
 24 under an obligation to give me a copy  
 25 if you have to go out and buy a copy

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1 PARKER  
2 on your own. That is your  
3 responsibility, not mine.  
4 MR. JOSEPH: I have no problem.  
5 MS. FROMMER: I am just saying,  
6 you are attempting to use  
7 documentation in this deposition that  
8 has not been provided to me during  
9 discovery. I am just noting that.  
10 Note my objection to any line of  
11 questioning that has to do with an  
12 exhibit that has never been provided  
13 or identified in discovery.  
14 MR. JOSEPH: For the record,  
15 this is a document that is not used  
16 affirmatively to establish our case.  
17 It is used solely for impeachment,  
18 which we don't have to produce under  
19 Rule 26. That being said, we will be  
20 more than happy to provide you with a  
21 copy of it.  
22 MS. FROMMER: Okay. But Rule  
23 26 does not require -- actually  
24 anything that you want to use in your  
25 case has to be identified. You have

55

1 PARKER  
2 never identified this.  
3 MR. JOSEPH: Not for  
4 impeachment, Counsel. Look at Rule  
5 26.  
6 MS. FROMMER: That is not  
7 accurate.  
8 MR. JOSEPH: We can deal with  
9 it later. Let's just mark it.  
10 MS. FROMMER: That's fine, but  
11 under the Southern District of New  
12 York you will never be able to  
13 introduce evidence at trial that has  
14 never been produced in discovery.  
15 MR. JOSEPH: And we will be  
16 more than happy to produce you a copy.  
17 MS. FROMMER: Thank you.  
18 MR. JOSEPH: Off the record.  
19 (Discussion off the record.)  
20 (Plaintiff's Exhibit 31, book,  
21 marked for identification.)  
22 Q. Sir, I am going to show you  
23 what has been marked as Exhibit 31 and ask  
24 you if you recognize this document?  
25 A. Yes, I do.

1 PARKER  
2 Q. What is it?  
3 A. It is a soft cover copy of my  
4 book.  
5 Q. And did you write this book?  
6 A. Yes.  
7 Q. Is everything in it true?  
8 A. Pretty much.  
9 Q. Okay. Aside from the names you  
10 may have changed, and I believe you indicate  
11 where you have changed names, is everything  
12 in there true?  
13 A. Yes.  
14 Q. Okay. Could you turn to page  
15 78.  
16 A. Okay.  
17 Q. Sir, on the bottom of page 78  
18 you indicate that "nine times out of ten a DA  
19 will agree to overlook a felony charge in  
20 exchange for someone being a witness."  
21 MS. FROMMER: I am going to  
22 read it.  
23 MR. JOSEPH: Okay.  
24 MS. FROMMER: I am going to  
25 object. I am going to ask you to show

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1 PARKER  
2 me where it says that on that page.  
3 On page 78 your quote of "nine times  
4 out of ten" does not appear anywhere  
5 on that page. Therefore, I am going  
6 to instruct --  
7 MR. JOSEPH: Okay, I will read  
8 it directly from the book.  
9 Q. Did you ever tell a witness,  
10 "but if you talk, if you cooperate, I will  
11 make a recommendation to the ADA that this  
12 infraction that brought you in here be  
13 overlooked. I wasn't bullshitting. Nine  
14 times out of ten the DA goes for it"?  
15 A. Can I see that?  
16 Q. Yes, it is right over here.  
17 A. It does say that in my book,  
18 yes.  
19 Q. So did you ever make a  
20 recommendation to an ADA that felony charges  
21 be dropped in exchange for somebody being a  
22 witness?  
23 A. Are you talking about this  
24 particular case or another case?  
25 Q. Ever, ever.

15 (Pages 54 to 57)

58

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1 **PARKER**  
 2 A. Yeah, of course.  
 3 **Q. Okay. And is that something**  
 4 **you commonly did to get somebody, to get**  
 5 **people to be witnesses?**  
 6 MS. FROMMER: Objection. You  
 7 can answer.  
 8 A. Again, and I am going to say  
 9 this for the record, I don't make deals. The  
 10 DA's office does. I can recommend whatever I  
 11 want, but it is up to the DA to decide what  
 12 they want to do.  
 13 **Q. Okay. During your time in the**  
 14 **intelligence unit, did you commonly tell a**  
 15 **confidential informant that you would**  
 16 **recommend that charges be dropped or**  
 17 **overlooked in exchange for testimony?**  
 18 MS. FROMMER: Objection. You  
 19 can answer.  
 20 A. Again, I don't tell -- I don't  
 21 make deals with people. The DA's office  
 22 does.  
 23 **Q. Listen to the question, sir. I**  
 24 **haven't asked if you made a deal.**  
 25 **I am asking you, if during your**

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1 **PARKER**  
 2 **time at the intelligence unit, if whether it**  
 3 **was something you normally did or part of**  
 4 **your practice to represent or tell a person**  
 5 **who had been arrested, that the charges would**  
 6 **be dismissed or overlooked if they cooperated**  
 7 **in a different case?**  
 8 MS. FROMMER: Objection. That  
 9 is not your same question.  
 10 A. Right.  
 11 MS. FROMMER: That is a  
 12 different question. Note my objection  
 13 on the record.  
 14 A. I still don't understand your  
 15 question, because you are confusing me.  
 16 **Q. Okay. At the time that you**  
 17 **were at the intelligence unit, did you**  
 18 **regularly tell people facing criminal charges**  
 19 **that you would recommend to the ADA that the**  
 20 **charges be overlooked or dismissed in**  
 21 **exchange for their providing testimony?**  
 22 MS. FROMMER: Objection. You  
 23 can answer.  
 24 A. I would probably say on a  
 25 case-by-case basis I suggested that they go

1 **PARKER**  
 2 speak to the DA and the DA would let them  
 3 know if they would do anything with the  
 4 charges that they are in for.  
 5 **Q. And is that something you did**  
 6 **on a regular basis while working confidential**  
 7 **informants?**  
 8 MS. FROMMER: Objection.  
 9 **Q. During your time at the**  
 10 **intelligence unit?**  
 11 A. I wouldn't say regular basis.  
 12 I would say on a case-by-case basis.  
 13 **Q. What percentage of the**  
 14 **confidential informants with whom you were**  
 15 **working at intelligence unit did you make**  
 16 **such a recommendation to an ADA?**  
 17 MS. FROMMER: Objection. You  
 18 can answer.  
 19 A. I couldn't give you a  
 20 percentage, because there is really not a  
 21 percentage to give. It all depends on what  
 22 the confidential informant is giving you and  
 23 if the information is useful and the DA feels  
 24 it is useful, they will be the one to make  
 25 the deal with the defendant, not me.

61

1 **PARKER**  
 2 **Q. Okay, Would it be fair to say**  
 3 **that, if a CI gives you, quote unquote,**  
 4 **useful information, it is more than likely**  
 5 **that his case will ultimately be dismissed or**  
 6 **reduced?**  
 7 MS. FROMMER: Objection. You  
 8 can answer.  
 9 A. Again, I can't answer that  
 10 question totally. Again, how do you -- how  
 11 can I say that the information he is giving  
 12 me is useful. It is going to be up to the  
 13 district attorney to determine if it is  
 14 useful, not me.  
 15 **Q. Okay. Sir, you made**  
 16 **recommendations to the assistant district**  
 17 **attorney, correct?**  
 18 MS. FROMMER: Objection. In  
 19 what context?  
 20 A. Right.  
 21 **Q. During your time at the**  
 22 **intelligence unit, did you make**  
 23 **recommendations to the ADA, that felony**  
 24 **charges be dismissed in exchange for witness**  
 25 **testimony?**

16 (Pages 58 to 61)



62

64

1 **PARKER**  
 2 A. No.  
 3 **Q. Okay. What recommendations, if**  
 4 **any, did you make to the ADA concerning**  
 5 **overlooking criminal charges?**  
 6 MS. FROMMER: Objection. You  
 7 can answer.  
 8 A. I can never make a  
 9 recommendation for a DA to overlook criminal  
 10 charges. Everything is on a case-by-case  
 11 basis and it depends on the information that  
 12 the informant is providing, if the DA's  
 13 office feels it is useful and necessary, they  
 14 will make that determination. It is not my  
 15 determination that I can make.  
 16 **Q. Okay. Did you often promise**  
 17 **confidential informants that you are working**  
 18 **with that their cases might go away if they**  
 19 **provided useful information?**  
 20 MS. FROMMER: Objection. You  
 21 can answer.  
 22 A. I can never make a promise to  
 23 anyone like that.  
 24 **Q. Did you ever suggest, make that**  
 25 **sort of a suggestion?**

63

1 **PARKER**  
 2 MS. FROMMER: Objection. You  
 3 can answer.  
 4 A. Again, everything is on a  
 5 case-by-case basis. I don't make those  
 6 decisions. It is up to the ADA.  
 7 **Q. Sir, I didn't ask you who made**  
 8 **the decision.**  
 9 I asked you if you ever  
 10 suggested to a person facing criminal charges  
 11 that his case might go away if he provided  
 12 witness information?  
 13 MS. FROMMER: Objection. You  
 14 can answer.  
 15 A. Not go away.  
 16 **Q. Okay. You tell me, what**  
 17 **suggestions, if any, did you make to people**  
 18 **who are facing criminal charges in order to**  
 19 **get them to provide you information?**  
 20 MS. FROMMER: Objection. You  
 21 can answer.  
 22 A. I suggest that you tell me the  
 23 truth, and whatever you tell me, I will bring  
 24 it to the DA and let the DA make a  
 25 determination.

1 **PARKER**  
 2 **Q. Okay. A determination as to**  
 3 **what?**  
 4 A. What the DA's office is going  
 5 to do with his information or her  
 6 information.  
 7 **Q. And what if anything did you**  
 8 **suggest, did you normally suggest to the**  
 9 **person that they would get in response for**  
 10 **providing this information?**  
 11 MS. FROMMER: Objection.  
 12 A. There is nothing really to  
 13 suggest. It is up to the district attorney's  
 14 office again.  
 15 **Q. Okay. Well, what is up to the**  
 16 **district attorney's office?**  
 17 A. To determine whatever  
 18 information that the person is giving me is  
 19 useful information.  
 20 **Q. And if it is in fact useful**  
 21 **information, what did you suggest would be**  
 22 **the benefit to the person providing it, if**  
 23 **any?**  
 24 MS. FROMMER: Objection. You  
 25 can answer.

65

1 **PARKER**  
 2 A. I can't make that suggestion.  
 3 That, again, comes from the DA's office. I  
 4 don't have the power to make those  
 5 suggestions.  
 6 **Q. Okay. Are you telling us that**  
 7 **you have never suggested to a criminal**  
 8 **defendant or someone facing criminal charges,**  
 9 **that your case would be overlooked?**  
 10 A. I never, ever said that to a  
 11 criminal defendant.  
 12 **Q. Okay. Did you ever suggest to**  
 13 **Terrance Alston that his murder, attempted**  
 14 **murder and assault charge would go away in**  
 15 **exchange for information?**  
 16 A. No.  
 17 **Q. Did you have any role**  
 18 **whatsoever in assisting Mr. Alston in getting**  
 19 **early release?**  
 20 A. Yes.  
 21 **Q. Are you familiar with the**  
 22 **phrase "working off time"?**  
 23 A. Yes.  
 24 **Q. What does that phrase mean?**  
 25 A. It refers to an informant

17 (Pages 62 to 65)



66

68

1 PARKER  
2 working off time, giving us information, but  
3 again, that is determined by someone else,  
4 not me.  
5 **Q. Okay. What does working off**  
6 **time mean?**  
7 A. To go out, to do things  
8 necessary for an informant that you need him  
9 to do, make buys, give information, a  
10 multitude of different things.  
11 **Q. And what does that informant**  
12 **get in return, when he is working off time?**  
13 MS. FROMMER: Objection. You  
14 can answer.  
15 A. I think you just said that. He  
16 is working off time. That is what that term  
17 means.  
18 **Q. Does it mean that he is getting**  
19 **time off of his sentence?**  
20 A. That is what it would suggest,  
21 yeah.  
22 **Q. Okay. Did any of your CIs**  
23 **ever, quote unquote, work off time in**  
24 **exchange for testimony?**  
25 MS. FROMMER: Objection. You  
67

1 PARKER  
2 can answer.  
3 A. To the best of my recollection,  
4 I can't say I had a CI who was working off  
5 time.  
6 **Q. Do you know if Mr. Alston --**  
7 **are you aware if Mr. Alston was released**  
8 **early?**  
9 A. I don't recall.  
10 **Q. Okay. Sir, is it fair to say**  
11 **that often a confidential informant will have**  
12 **their own agenda?**  
13 MS. FROMMER: Objection. You  
14 can answer, if you can.  
15 A. I mean that is with anyone.  
16 **Q. Okay. Is a confidential**  
17 **informant having their own agenda something**  
18 **that you have to be aware of when dealing**  
19 **with informants?**  
20 MS. FROMMER: Objection. You  
21 can answer.  
22 A. A confidential informant is not  
23 supposed to have his own agenda. He is  
24 supposed to go by the rules that is governed  
25 by yourself and by the DA's office.

1 PARKER  
2 **Q. And what are those rules?**  
3 A. To work within the guidelines.  
4 For example, he has to report in to whoever  
5 his handler is. He has to call in. He has  
6 to keep in touch. And if he gets arrested or  
7 anything happens, he has to notify you right  
8 away.  
9 **Q. And were you Mr. Alston's**  
10 **handler?**  
11 A. Not solely, no.  
12 **Q. Who else was Mr. Alston's**  
13 **handler?**  
14 A. I couldn't tell you that.  
15 **Q. Okay. Would there be a record**  
16 **of that somewhere?**  
17 A. Again, I couldn't tell you  
18 that.  
19 **Q. Sir, were you ever concerned,**  
20 **that Mr. Alston was providing you false**  
21 **information in exchange for getting out**  
22 **early?**  
23 MS. FROMMER: Objection. You  
24 can answer.  
25 A. No.  
69

1 PARKER  
2 **Q. Did you ever take any steps to**  
3 **verify the information that Mr. Alston was**  
4 **providing you?**  
5 A. Yes.  
6 **Q. Okay. And other than calling**  
7 **your precinct and seeing that a murder did**  
8 **happen, what if anything did you do?**  
9 A. The detectives from the 43rd  
10 Precinct came to Rikers Island, told me that  
11 they wanted to interview him. So that led me  
12 to believe that the information that he was  
13 telling me was sort of accurate.  
14 **Q. Sort of accurate?**  
15 A. Yes, because they came all the  
16 way to Rikers Island to interview him.  
17 **Q. Okay. Were you present when**  
18 **they interviewed him?**  
19 A. No.  
20 **Q. Okay. Was there any reason**  
21 **that you weren't present when they**  
22 **interviewed him?**  
23 A. Because they might want to ask  
24 him questions that they may not want me in  
25 the room with him.

18 (Pages 66 to 69)

70

72

1 PARKER  
2 Q. And why would that be?  
3 A. Because they have the case. I  
4 don't.  
5 Q. Now, sir, did you learn when  
6 this murder -- how soon after the murder did  
7 you get this phone call from Mr. Alston?  
8 MS. FROMMER: Objection. You  
9 can answer.  
10 A. That I don't recall.  
11 Q. Okay. Well, sir, did you learn  
12 that Mr. Alston was in jail when the murder  
13 occurred?  
14 A. Again, I don't know. I don't  
15 remember.  
16 Q. Would you find it strange that  
17 a confidential informant had information  
18 concerning a murder that occurred while he  
19 was in jail?  
20 MS. FROMMER: Objection. You  
21 can answer.  
22 A. Again, I don't recall that.  
23 Q. Okay. Sir, based on your  
24 experience, is it good police practice to  
25 charge someone with murder based solely on

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1 PARKER  
2 the word of a confidential informant?  
3 MS. FROMMER: Objection. You  
4 can answer.  
5 A. Based on my experience, there  
6 are a lot of other factors that go into  
7 making an arrest, not just from an informant,  
8 but from eyewitnesses, evidence. And that  
9 determination, again, is made by the district  
10 attorney's office.  
11 \*R Q. No. My question to you was, is  
12 it good police practice to arrest someone  
13 based solely on the word of a confidential  
14 informant?  
15 DI MS. FROMMER: I am going to  
16 object and direct him not to answer  
17 that, because you are making a  
18 hypothetical. I am going to instruct  
19 him not to answer that.  
20 MR. JOSEPH: Mark it for a  
21 ruling.  
22 MS. FROMMER: Okay.  
23 Q. Sir, did you ever disregard  
24 other evidence based solely on what a  
25 confidential informant told you?

1 PARKER  
2 DI MS. FROMMER: Objection. I am  
3 going to instruct him not to answer.  
4 That is harassing.  
5 Q. Well, sir, did you ever say, if  
6 you want to solve a homicide, you are going  
7 to need informants, period. Quote "Fuck DNA  
8 testing. Fuck all the flashy  
9 divorced-from-reality high-tech cop shows you  
10 see on TV. Informants are how most homicides  
11 are solved," did you say that?  
12 A. Are you referring to my book?  
13 Q. I am asking you, did you say  
14 that?  
15 A. I am asking what you are  
16 referring to that I said that to?  
17 Q. Take a look at page 64.  
18 MS. FROMMER: Off the record.  
19 (Discussion off the record.)  
20 MS. FROMMER: I am going to  
21 ask, when you ask that question, that  
22 you actually read the sentence before  
23 it so it is in context of which it is  
24 written in this book.  
25 You can read it. I want you to

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1 PARKER  
2 read everything before and after that  
3 so you can read the question.  
4 THE WITNESS: You want me to  
5 read it?  
6 MS. FROMMER: You can read it  
7 to yourself before you answer his  
8 question.  
9 A. Okay.  
10 Q. Did you make that statement?  
11 A. Yes.  
12 Q. What do you mean by that?  
13 A. What I mean by that is, you  
14 know, working in certain areas, you have to  
15 talk to informants, because informants give  
16 you information.  
17 MS. FROMMER: Just for the  
18 record, the thing you, quote unquote,  
19 said is a statement is not a  
20 statement. It was a piece of  
21 literature in a book. It is not in  
22 quotation marks. And according to  
23 page 64, it was not a statement that  
24 was ever made to anyone at any time.  
25 MR. JOSEPH: Other than the  
19 (Pages 70 to 73)

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76

1 PARKER  
2 general public.  
3 MS. FROMMER: Well, it is a  
4 statement. It is a summarization of a  
5 thought in his head. So you calling  
6 it -- whether he ever made that  
7 statement, I object to that  
8 characterization, as it is inaccurate.  
9 Q. Sir, are you indicating that  
10 you disregarded other evidence and solely  
11 relied upon the information provided by  
12 confidential informants?  
13 A. I never disregard other  
14 evidence, no.  
15 Q. Do you know a gentleman named  
16 Mike Booth?  
17 A. No.  
18 Q. Do you know who he is?  
19 A. No.  
20 Q. Are you aware of a bookie named  
21 Mike Booth who worked at the Hunts Point  
22 Market?  
23 A. No.  
24 Q. Okay. Did you ever know  
25 someone named Chris Tartone or know of

1 PARKER  
2 Q. What happened the second time  
3 that you met with Mr. Alston?  
4 A. I think the next time I met him  
5 we were going to the DA's office.  
6 Q. Okay. And was he still in  
7 Rikers Island at the point in time when you  
8 met him on the second occasion?  
9 A. I don't recall.  
10 Q. Did you go to Rikers Island and  
11 pick him up?  
12 A. Myself?  
13 Q. Correct.  
14 A. No.  
15 Q. Okay. Where did you meet Mr.  
16 Alston?  
17 A. The DA's office.  
18 Q. Was he wearing any sort of  
19 prison uniform?  
20 A. Again, I don't recall.  
21 Q. Okay. Do you have any  
22 recollection of him being in handcuffs or  
23 shackles?  
24 MS. FROMMER: Objection. You  
25 can answer.

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1 PARKER  
2 someone named Chris Tartone?  
3 A. No.  
4 Q. Are you familiar with a  
5 pizzeria on Metropolitan Avenue in the Bronx?  
6 A. There is a bunch of pizzerias  
7 around there.  
8 Q. Okay. Well, specifically are  
9 you familiar with a pizzeria on Metropolitan  
10 Avenue right across from the Parkchester  
11 complex?  
12 A. It doesn't ring a bell to me,  
13 no.  
14 Q. Okay. Do you know someone  
15 named Sal Miro?  
16 A. No.  
17 Q. What happened the second time  
18 you met Mr. Alston?  
19 A. Are you referring to Rikers  
20 Island again?  
21 Q. I don't know whether it was in  
22 Rikers Island or somewhere else.  
23 After the first meeting in  
24 Rikers Island, which you told us about?  
25 A. Right.

1 PARKER  
2 A. I don't recall.  
3 Q. When the meeting with the DA's  
4 office was over, did he walk out on his own?  
5 MS. FROMMER: Objection. You  
6 can answer.  
7 A. I don't recall.  
8 Q. Do you have any recollection of  
9 him being escorted by anybody after the  
10 meeting was over?  
11 MS. FROMMER: Objection. You  
12 can answer.  
13 A. Again, I don't recall.  
14 Q. Who else was present at the  
15 meeting with the ADA?  
16 A. A detective from the 43rd, I  
17 believe.  
18 Q. Was his name Agostini?  
19 A. I don't recall.  
20 Q. Okay. Was anyone else present?  
21 A. The DA.  
22 Q. Was that a Miss Sacca?  
23 A. I don't remember her name.  
24 Q. It was a female, correct?  
25 MS. FROMMER: Objection. You

20 (Pages 74 to 77)

78

80

1 PARKER  
 2 can answer.  
 3 A. To the best of my knowledge, I  
 4 don't recall.  
 5 Q. Other than yourself, the ADA,  
 6 Mr. Alston and this detective from the 43rd  
 7 Precinct, was anyone else present?  
 8 A. Again, I don't recall.  
 9 Q. Okay. Tell me everything that  
 10 you recall being said at that second meeting.  
 11 A. I don't recall.  
 12 Q. Do you recall anything that was  
 13 said?  
 14 A. No.  
 15 Q. Was there a gentleman named  
 16 Mark Damon also present?  
 17 A. I don't recall.  
 18 Q. By the way, did Mr. Alston  
 19 testify before the grand jury concerning the  
 20 Bronx homicide of the security officer?  
 21 MS. FROMMER: Objection. You  
 22 can answer, if you can.  
 23 A. I don't recall.  
 24 Q. Okay. I will show you what has  
 25 been marked Exhibit 23, dated 12/20/07. I am

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1 PARKER  
 2 going to ask you to read it to yourself.  
 3 A. Okay.  
 4 Q. After looking at Exhibit 23,  
 5 has your recollection been refreshed in any  
 6 way?  
 7 A. Yes. It appears that I was at  
 8 this meeting.  
 9 Q. Okay. Was this meeting the  
 10 second one you were describing or is this a  
 11 different meeting?  
 12 A. I don't recall.  
 13 Q. Okay. Do you have any  
 14 recollection, as you sit here right now, of  
 15 this meeting?  
 16 A. Only that my name appears on  
 17 the report and that I was there.  
 18 Q. Other than your name appearing  
 19 on the report, do you have any independent  
 20 recollection?  
 21 A. No.  
 22 Q. At the meeting with the DA, did  
 23 you take any handwritten notes?  
 24 A. No.  
 25 Q. After this second meeting with

1 PARKER  
 2 the ADA -- by the way, did you ever testify  
 3 in the grand jury concerning the Bronx  
 4 homicide of the security officer?  
 5 A. Not that I recall.  
 6 Q. Okay. Was it your custom and  
 7 practice to take notes at a meeting with an  
 8 ADA?  
 9 MS. FROMMER: Objection. You  
 10 can answer.  
 11 A. In certain cases, yeah.  
 12 Q. What would happen to those  
 13 notes typically?  
 14 A. They would go in the DD5.  
 15 Q. In the DD5?  
 16 A. Yes.  
 17 Q. Okay. Have you looked for any  
 18 DD5s concerning the investigation and  
 19 prosecution of Anthony Manganiello?  
 20 A. No.  
 21 Q. Do you know if you ever made a  
 22 DD5 concerning the arrest and prosecution of  
 23 Anthony Manganiello?  
 24 A. No.  
 25 Q. Can you tell me why you were

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1 PARKER  
 2 present at the meeting with the ADA?  
 3 A. At this particular meeting that  
 4 you are referring to?  
 5 Q. On the second date, whether it  
 6 is the date reflected in the --  
 7 A. Well, the reason I was there  
 8 was probably because of Terrance Alston.  
 9 Q. Okay. What specifically about  
 10 Terrance Alston made you come to be present  
 11 at this meeting?  
 12 A. I guess so he could be  
 13 comfortable with the people he was dealing  
 14 with.  
 15 Q. Was Mr. Alston made any  
 16 promises at this meeting?  
 17 MS. FROMMER: Objection. You  
 18 can answer.  
 19 A. I don't recall.  
 20 Q. Was Mark Damon made any  
 21 promises at this meeting?  
 22 MS. FROMMER: Objection. You  
 23 can answer.  
 24 A. I don't recall.  
 25 Q. Do you have any recollection,

21 (Pages 78 to 81)



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1 **PARKER**  
2 as you sit here right now, whether Mr. Damon  
3 was present at the second meeting you are  
4 referring to?  
5 A. I have no recollection.  
6 **Q. Okay. Did you ever meet with**  
7 **Mr. Damon outside of the district attorney's**  
8 **office?**  
9 A. To the best of my knowledge,  
10 no.  
11 **Q. Was Mr. Damon a confidential**  
12 **informant?**  
13 A. Again, to the best of my  
14 knowledge, I don't know.  
15 **Q. Aside from the second -- after**  
16 **the second meeting, did you ever speak or**  
17 **meet with Mr. Alston again?**  
18 A. I don't recall.  
19 **Q. As you sit here right now, do**  
20 **you have any recollection of any meetings**  
21 **with Mr. Alston or conversations with Mr.**  
22 **Alston after that day at the district**  
23 **attorney's office?**  
24 MS. FROMMER: Objection. You  
25 can answer.

83

1 **PARKER**  
2 A. I think I answered that. I  
3 told you that I spoke to him on the phone.  
4 **Q. Okay. You spoke to him on the**  
5 **phone after the ADA's office?**  
6 A. After the ADA's office.  
7 **Q. And for what reason or reasons**  
8 **did you speak to him on the phone?**  
9 A. He called me to see how I was  
10 doing, to see how he was doing.  
11 **Q. When he called you, did he call**  
12 **from jail or from someplace else?**  
13 A. That I don't recall.  
14 **Q. Do you know if Mr. Alston was**  
15 **ever released?**  
16 A. I don't know.  
17 **Q. Did Mr. Alston participate in**  
18 **any other cases as a confidential informant?**  
19 A. To the best of my knowledge,  
20 no.  
21 **Q. By the way, did you ever say**  
22 **you used unorthodox methods that sometimes**  
23 **clashed with police tradition?**  
24 MS. FROMMER: Objection. You  
25 can answer.

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1 **PARKER**  
2 A. Again, are you referring to the  
3 book?  
4 **Q. Take a look at page 23.**  
5 A. Okay.  
6 MS. FROMMER: Let me read it  
7 first.  
8 Can you repeat your question,  
9 please?  
10 MR. JOSEPH: Okay.  
11 **Q. Did you ever say that you had**  
12 **unorthodox methods which sometimes clashed**  
13 **with the powers that be and threatened police**  
14 **tradition?**  
15 MS. FROMMER: I object to your  
16 quote.  
17 You can read it.  
18 A. Yes, referring to hip-hop.  
19 **Q. Okay. What did you mean by**  
20 **that?**  
21 A. Well, in the hip-hop industry  
22 there are gray areas. The police department  
23 tends to want to do things by the book, 1, 2,  
24 3, 4, 5. And sometimes, when you have these  
25 gray areas, it is not so easy to do things 1,

85

1 **PARKER**  
2 2, 3, 4, 5, by the numbers.  
3 **Q. Okay. What do you mean by**  
4 **that? What do you mean by a gray area?**  
5 A. A gray area is a gray area. I  
6 mean something is black and white is black  
7 and white. Something is gray area means it  
8 is not black and white.  
9 It is not so simple to solve.  
10 It is something that you need a little  
11 finessing. It is something you need to do a  
12 little different to get the answers or things  
13 that you want.  
14 **Q. And what do you mean by**  
15 **"finessing"?**  
16 A. Just what I said, you know.  
17 For example, you know, saying that someone  
18 committed a crime is not so easy if there is  
19 no witnesses. So maybe there is a gray area.  
20 Maybe something else happened, some other  
21 mitigating circumstances that led someone to  
22 say that or that crime to be committed.  
23 There is a bunch of different  
24 interpretations. This is just an  
25 interpretation.

22 (Pages 82 to 85)



86

1 PARKER  
2 Q. Thank you. But what I want to  
3 ask you is what you meant by that?  
4 A. I just told you.  
5 Q. What do you mean by unorthodox  
6 methods?  
7 MS. FROMMER: Just for the  
8 record, he doesn't use the words  
9 "unorthodox methods" in his book.  
10 DI So I am going to object and  
11 instruct him not to answer when you  
12 completely misquoted the sentence that  
13 you claim to be quoting. If you would  
14 like to rephrase it to accurately  
15 reflect the quote, I will let him  
16 answer, but I am not going to let him  
17 answer a question that is misquoted.  
18 MR. JOSEPH: Let me see his  
19 quote.  
20 Q. What did you mean by your  
21 methods sometimes clashed with the powers  
22 that be?  
23 MS. FROMMER: Objection. You  
24 can answer.  
25 A. Again, referring to the hip-hop

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1 PARKER  
2 music industry. Sometimes there are things  
3 that you have to do that might be different  
4 that the powers may not respect. You know,  
5 you are talking to an individual involved in  
6 the hip-hop industry, you know, because of  
7 the influence of money and power and things,  
8 you know, that are involved with that  
9 industry.  
10 Q. By the way, did you ever  
11 publicly criticize a detective for losing a  
12 file?  
13 A. Did I ever publicly criticize,  
14 I don't recall.  
15 Q. Take a look at page 61.  
16 MS. FROMMER: I will allow him  
17 to answer the question subject to the  
18 statement that he was discussing  
19 members of the Los Angeles Police  
20 Department.  
21 MR. JOSEPH: That's fine.  
22 MS. FROMMER: You can answer.  
23 Q. Did you ever criticize a Los  
24 Angeles Police Department member for losing a  
25 file?

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1 PARKER  
2 A. Yes.  
3 Q. Okay. And did you call it a  
4 flimsy excuse?  
5 A. I don't know if I said flimsy  
6 excuse.  
7 Q. Keep reading.  
8 A. Flimsy assertion?  
9 Q. "Flimsy assertion," what you  
10 did mean by a flimsy assertion?  
11 A. It means that the judge in the  
12 case felt, you know, it was just something  
13 that he forgot or he couldn't find it. It is  
14 just a flimsy assertion.  
15 Q. In all of your years of being a  
16 homicide detective, aside from this one  
17 incident, did you ever hear of a homicide  
18 detective losing an entire case file?  
19 A. It happens, yeah.  
20 Q. Okay. And is that something  
21 that you would consider a flimsy assertion?  
22 A. I mean it all depends. It may  
23 not have been his fault. It might have been  
24 a homicide that was an old homicide that  
25 might have been put in storage and, you know,

89

1 PARKER  
2 it got sent to certain different places and  
3 he couldn't find it.  
4 Q. I am talking about an active  
5 homicide file.  
6 A. Well, that is what I am saying,  
7 an active homicide file. It could be an old  
8 file. It could be something from years ago.  
9 Homicides are always active. It could just  
10 be something from years ago that they had to  
11 make room to store it someplace else.  
12 Q. Did you ever hear of an active  
13 homicide file in a case that was being  
14 prosecuted being lost?  
15 A. To the best of my knowledge,  
16 no.  
17 Q. Okay. Is that something --  
18 throughout the City of New York, based on  
19 your experience as a homicide detective, are  
20 there established procedures for maintaining  
21 active homicide files?  
22 MS. FROMMER: Objection. I am  
23 going to instruct the witness, to the  
24 best of his knowledge and his  
25 experience, only in the commands he

23 (Pages 86 to 89)

90

1 PARKER  
2 has worked on.  
3 DI I am going to instruct him not  
4 to answer about police procedure  
5 throughout the entire City of New York  
6 on homicide cases, as he has no  
7 personal knowledge of that. He is not  
8 here as a 30(b)(6) witness.  
9 So to the extent that you can  
10 testify as to your knowledge you can,  
11 and to your experience you can.  
12 A. To my personal experience, I  
13 mean the folders sometimes they are  
14 misplaced. They are put all over the place.  
15 It all depends. Like I said, active  
16 homicides can be anything from now to the  
17 past. They are still active.  
18 Q. Were you aware, did you ever  
19 become aware of the entire homicide file in  
20 the case involving this particular  
21 Parkchester security officer going missing?  
22 A. No, I didn't hear. I heard  
23 nothing about that.  
24 Q. Okay. Did you ever touch that  
25 file or have any -- did the homicide file for

91

1 PARKER  
2 the security guard who was shot in the Bronx  
3 ever come into your possession?  
4 A. No.  
5 Q. Would you find it unusual if a  
6 case file for a homicide that was being  
7 prosecuted went missing?  
8 MS. FROMMER: Objection. You  
9 can answer.  
10 A. I am sorry, again? Say it one  
11 more time.  
12 Q. Okay. Sir, would you find it  
13 unusual for a case file for a homicide that  
14 is being actively prosecuted to just  
15 disappear?  
16 MS. FROMMER: Objection.  
17 A. Again, in the commands that I  
18 have worked a lot of things happened. I have  
19 seen cases come up missing before in the  
20 commands that I have worked. So anything is  
21 possible.  
22 Q. Tell me why. If it is  
23 possible, can you tell me why you harshly  
24 criticized the LAPD detective?  
25 MS. FROMMER: In that

92

1 PARKER  
2 particular case?  
3 MR. JOSEPH: Correct.  
4 MS. FROMMER: You can answer.  
5 A. In that particular case, I felt  
6 it was a very high-profile murder case. And  
7 because it was so high profile, you know, him  
8 saying that he misplaced or didn't know where  
9 the folder was to me bad police work.  
10 Q. Would you consider a security  
11 officer being shot a high-profile police  
12 matter?  
13 MS. FROMMER: Objection. You  
14 can answer.  
15 A. I mean I think every homicide  
16 is high profile. It all depends. Some just  
17 get more publicity than others.  
18 Q. Okay. On February 25, 2001  
19 were you in Las Vegas working as a bodyguard  
20 for Duane Johnson, also known as the Rock?  
21 A. Again, you are referring to the  
22 book, what page?  
23 Q. 235. I am just trying to get a  
24 time frame.  
25 A. Okay.

93

1 PARKER  
2 MS. FROMMER: What is the date  
3 again, please?  
4 MR. JOSEPH: February 25, 2001.  
5 Q. Just to refresh your  
6 recollection, that was about the time that  
7 there was a shooting at Hot 97 studio.  
8 MS. FROMMER: You can answer,  
9 if you can.  
10 A. When this shooting occurred, I  
11 wasn't in New York, no.  
12 Q. My question is, on February 25,  
13 2001 were you in Vegas working as a  
14 bodyguard?  
15 A. I don't know if it was February  
16 25th I was out there. I can't refer to the  
17 date.  
18 Q. Okay. Well, on page 235 did  
19 you put the date down as February 25th?  
20 A. Let's look. It doesn't refer  
21 to a date. It just says the Hot 97 shooting  
22 I was --  
23 MS. FROMMER: So the answer to  
24 his question is what, yes or no, that  
25 on page 235 you specifically have the  
24 (Pages 90 to 93)

94

96

1 PARKER  
2 date February 25th?  
3 THE WITNESS: No, I don't have  
4 it.  
5 MS. FROMMER: Thank you.  
6 Q. On any of the prior pages, do  
7 you have a date February 25, 2001 as when the  
8 shooting at Hot 97 occurred?  
9 A. I'm sorry, what pages?  
10 Q. Any of the pages preceding page  
11 235.  
12 MS. FROMMER: You want him to  
13 read pages 1 through 235?  
14 MR. JOSEPH: No, I don't.  
15 A. Why don't you just make it  
16 clear?  
17 Q. On page 233 did you say on  
18 February 25, 2001 is when the Hot 97 shooting  
19 occurred?  
20 A. On February 1st --  
21 MS. FROMMER: You can read the  
22 whole quote.  
23 A. "On February 1, 2001 the rules  
24 were broken. This particular Sunday  
25 afternoon would see one of the most brutal

95

1 PARKER  
2 public shootouts between rival rap crews in  
3 rap history play out right on Hot 97's  
4 doorstep."  
5 Q. Is it February 1st or February  
6 25th?  
7 A. February 25th.  
8 Q. Okay. Because you said  
9 February 1st.  
10 A. No, February 25th.  
11 Q. Okay. So at the time that that  
12 occurred, on February 25th, were you in Las  
13 Vegas?  
14 A. I don't recall.  
15 Q. Could you read pages 233  
16 through 235 to see if it refreshes your  
17 recollection.  
18 A. The question again?  
19 Q. On February 25, 2001 were you  
20 in Las Vegas?  
21 A. Yes.  
22 Q. How long were you in Las Vegas  
23 prior to February 25, 2001?  
24 A. I don't recall.  
25 Q. Okay. For example, did you

1 PARKER  
2 leave immediately on February 25, 2001 once  
3 you got a phone call informing you of the Hot  
4 97 shooting?  
5 A. I don't believe leaving the day  
6 of, no.  
7 Q. Okay. Prior to receiving the  
8 phone call, how long had you been in Las  
9 Vegas?  
10 A. Again, I don't recall. I don't  
11 recall.  
12 Q. Was it more than a day?  
13 A. It could have been a week. I  
14 don't recall.  
15 Q. Okay. Do you have any  
16 recollection of how long? By the way, did  
17 you ever work with Duane Johnson, also known  
18 as the Rock, on any other occasions?  
19 A. Yes.  
20 Q. Was February 25, 2001 the first  
21 time that you worked for Duane Johnson, also  
22 known as the Rock?  
23 A. No.  
24 Q. Is this something you did on a  
25 regular basis?

97

1 PARKER  
2 MS. FROMMER: Objection. You  
3 can answer.  
4 A. Yeah.  
5 Q. Okay. Do you have any  
6 recollection why you were in Vegas on  
7 February 25, 2001 acting as Mr. Johnson's  
8 bodyguard? In other words, was there a  
9 particular event that was happening out  
10 there?  
11 MS. FROMMER: Objection to the  
12 characterization as "bodyguard."  
13 You can answer.  
14 A. I believe we were there for  
15 Summer Slam.  
16 Q. Okay. And how long did Summer  
17 Slam last?  
18 A. Summer Slam is a day event.  
19 Q. One-day event?  
20 A. Yeah.  
21 Q. Do you recall, when you got the  
22 phone call concerning the Hot 97 shooting on  
23 February 25, 2001, had Summer Slam already  
24 occurred or was it going to occur soon?  
25 MS. FROMMER: Objection. You

25 (Pages 94 to 97)



98

100

1 PARKER  
2 can answer.  
3 A. I don't remember if it was in  
4 the process or whatever. I don't remember.  
5 **Q. Okay. Do you have any records**  
6 **that would indicate when you went out to**  
7 **Vegas?**  
8 A. No.  
9 **Q. Do you have any pay slips or**  
10 **billing invoices to Mr. Johnson that would**  
11 **indicate when you traveled?**  
12 A. No.  
13 **Q. How did you get to -- who**  
14 **booked your flight to Vegas?**  
15 MS. FROMMER: Objection. You  
16 can answer.  
17 A. The travel agent for WWF --  
18 WWE.  
19 **Q. I'm sorry?**  
20 A. WWE.  
21 **Q. Were you there prior to Summer**  
22 **Slam or did you show on the day of Summer**  
23 **Slam or something else?**  
24 MS. FROMMER: Objection. You  
25 can answer.

99

1 PARKER  
2 A. I don't recall.  
3 **Q. Okay. Within the thirty days**  
4 **prior to February 25, 2001, were you working**  
5 **on any other bodyguard or security**  
6 **assignments?**  
7 MS. FROMMER: Objection. You  
8 can answer.  
9 A. Not that I recall.  
10 **Q. Were you in any other states**  
11 **other than New York and Vegas within the**  
12 **thirty days prior to February 25, 2001?**  
13 MS. FROMMER: Objection. You  
14 can answer.  
15 A. I can't recall.  
16 **Q. Okay. By the way, did you ever**  
17 **say the New York Police Department was**  
18 **rampant with corruption driven by ambition**  
19 **and stunted by stubborn egos?**  
20 MS. FROMMER: Objection. You  
21 can answer  
22 A. Again, are you referring to the  
23 book?  
24 **Q. Page 9.**  
25 MS. FROMMER: Again, I am going

1 PARKER  
2 to object to the complete misquote,  
3 but you can answer, to the best of  
4 what it reflects in your literature.  
5 A. It reflects the rap music  
6 industry again.  
7 **Q. Well, what did you mean by that**  
8 **quote?**  
9 A. It means that both cultures are  
10 wracked with corruption and driven by  
11 ambition.  
12 **Q. And when you say the NYPD was**  
13 **wracked with corruption, what do you mean?**  
14 MS. FROMMER: Objection. That  
15 is not what he said. Stop  
16 mischaracterizing his writing.  
17 DI I am going to instruct him not  
18 to answer.  
19 **Q. When you say wracked with**  
20 **corruption, is that the correct term you**  
21 **used, W-R-A-C-K-E-D?**  
22 A. Yes.  
23 **Q. Okay. Did you say the NYPD was**  
24 **wracked with corruption?**  
25 MS. FROMMER: Stop

101

1 PARKER  
2 mischaracterizing his testimony.  
3 **Q. Is that what you said, yes or**  
4 **no?**  
5 A. I said both cultures.  
6 **Q. Okay. And are you referring**  
7 **also to the NYPD?**  
8 MS. FROMMER: Objection. You  
9 can answer.  
10 A. Yes.  
11 **Q. Okay. What did you mean by**  
12 **that, specifically to the NYPD, not the other**  
13 **culture?**  
14 A. That sometimes we have flaws  
15 and there is corruption.  
16 **Q. And what do you mean by -- do**  
17 **you also say that both cultures, including**  
18 **the NYPD, were driven by ambition?**  
19 MS. FROMMER: Objection. You  
20 can answer.  
21 A. I mean there is always  
22 ambition. You have ambition, you know, to  
23 rise to rank, and the music industry,  
24 referring to the rap music industry, you have  
25 ambition to be a top wrapper or top

26 (Pages 98 to 101)



102

1 PARKER  
2 entertainer.  
3 Q. And the way to fulfill the  
4 ambition within the NYPD was to close cases,  
5 correct?  
6 DI MS. FROMMER: Objection. I am  
7 instructing him not to answer.  
8 Q. Sir, in general, was closing  
9 cases a way to advance in the NYPD?  
10 MS. FROMMER: Objection. You  
11 can answer, to the best of your  
12 knowledge and personal experience  
13 only.  
14 A. To the best of my knowledge,  
15 that is not the sole part of advancing, no.  
16 Q. Okay. Is it a large part of  
17 advancing?  
18 A. It plays a role.  
19 Q. And what do you mean by stunted  
20 by stubborn egos?  
21 MS. FROMMER: Objection. You  
22 can answer.  
23 A. That we have egos.  
24 Q. But what do you mean by stunted  
25 by stubborn egos?

103

1 PARKER  
2 A. It mean that in both cultures,  
3 referring back to the rap music industry, we  
4 have stunted, stubborn egos. You know,  
5 sometimes we don't want to do certain things  
6 or some things that we -- it is taken a lot  
7 in different context. You know what I'm  
8 saying. It is just a quote that I said about  
9 egos.  
10 Q. Okay. This quote had to do  
11 with the NYPD, correct?  
12 MS. FROMMER: Objection. You  
13 can answer.  
14 A. Yes.  
15 Q. In 2001 was it common for  
16 police officers in the Bronx to look the  
17 other way when other officers engaged in  
18 misconduct?  
19 MS. FROMMER: Objection. He  
20 was not in the Bronx.  
21 DI I am going to instruct him not  
22 to answer that.  
23 Q. In 2001 was it common for  
24 detectives in the NYPD to look the other way  
25 at other officer's misconduct?

104

1 PARKER  
2 MS. FROMMER: Objection. You  
3 can answer, if you can.  
4 A. I can't answer that.  
5 Q. Okay. Did you answer it on  
6 page 5 of your book?  
7 A. Again, let me turn to page 5.  
8 MS. FROMMER: You can answer,  
9 if you can. He is asking you if you  
10 say on page 5 that detectives look the  
11 other way.  
12 Q. Sir, did you say the first rule  
13 of law enforcement is the same as the code of  
14 the street, keep your mouth shut?  
15 MS. FROMMER: Objection.  
16 A. When talking to a journalist,  
17 yeah.  
18 Q. Okay. Did you also say that --  
19 you are lucky. I forgot about the page on  
20 this one.  
21 DI MS. FROMMER: Then I am going  
22 to instruct him not to answer if you  
23 are going to ask him a general  
24 statement about the comments in his  
25 book.

105

1 PARKER  
2 MR. JOSEPH: Well, actually  
3 hold on.  
4 \*R Q. Sir, did you ever look the  
5 other way while a fellow officer abused  
6 cocaine --  
7 MS. FROMMER: Objection.  
8 Q. -- and solicited prostitutes?  
9 DI MS. FROMMER: Objection. I am  
10 going to instruct him not to answer  
11 that.  
12 MR. JOSEPH: Page 99.  
13 DI MS. FROMMER: I am going to  
14 instruct him not to answer. I am  
15 instructing him not to turn to the  
16 page. You are asking him to implicate  
17 himself in something that has the  
18 appearance of impropriety, and I am  
19 going to instruct him not to answer.  
20 MR. JOSEPH: Mark it for a  
21 ruling.  
22 Q. Sir, did you say on page 43  
23 corruption was so rampant, you never knew if  
24 cops were dirty or not?  
25 MS. FROMMER: Then the answer  
27 (Pages 102 to 105)

106

1 PARKER  
2 to his question is it doesn't say that  
3 on page 43.  
4 A. It doesn't say that.  
5 **Q. Let me see.**  
6 MS. FROMMER: Off the record.  
7 (Discussion off the record.)  
8 **Q. Okay. On Page 46, I apologize.**  
9 **On page 46 did you say corruption was so**  
10 **rampant, you never knew if cops were dirty or**  
11 **not?**  
12 MS. FROMMER: Does it say that  
13 on this page.  
14 THE WITNESS: 46?  
15 MS. FROMMER: So is the answer  
16 no?  
17 THE WITNESS: No, the answer is  
18 no.  
19 MS. FROMMER: Thank you.  
20 **Q. Did you say you never know if**  
21 **uniform cops were dirty cop or not on page 46**  
22 **in your book?**  
23 MS. FROMMER: It is not the  
24 question you asked, Counselor. Again,  
25 you continue to mischaracterize.

107

1 PARKER  
2 DI I am going to instruct him not  
3 to answer a single question about the  
4 book. You have one more chance to get  
5 the quotations right or I am going to  
6 find it overly harassing.  
7 Will you please explain the  
8 context to the extent you need to.  
9 You can answer.  
10 A. I'm sorry. Can you rephrase  
11 the question.  
12 **Q. You want me to repeat it?**  
13 A. Yes, please.  
14 MR. JOSEPH: Would you read it  
15 back.  
16 (Record read.)  
17 A. I did I say that, yes, in my  
18 book.  
19 **Q. Well, what did you mean by**  
20 **that?**  
21 A. Because I was an undercover cop  
22 at the time, I didn't know if cops, you know,  
23 knew people in the street that would give up  
24 my identity, who I was.  
25 \*R **Q. Okay. Did you also say that**

108

1 PARKER  
2 there were things that you did as a cop that  
3 you weren't proud of, page 208?  
4 MS. FROMMER: Again, you have  
5 misquoted him.  
6 DI So I am going to instruct him  
7 not to answer that. That is the last  
8 time I am going to allow this line of  
9 questioning, because you have again  
10 misquoted him.  
11 MR. JOSEPH: Mark it for a  
12 ruling.  
13 **Q. Sir, did you say there were**  
14 **things I did as Giuliani's hip-hop cop that I**  
15 **wasn't proud of on page 20?**  
16 MS. FROMMER: Please finish the  
17 quotation. I am going to ask that the  
18 entire statement be read into record.  
19 So please read the entire statement  
20 into the record from your book.  
21 THE WITNESS: From the top?  
22 MS. FROMMER: No, no, no. From  
23 the "there were."  
24 THE WITNESS: "There were  
25 things I did as Giuliani's hip-hop cop

109

1 PARKER  
2 that I wasn't so proud of that made me  
3 uncomfortable. Still I had no choice  
4 because it was my job."  
5 **Q. What did you mean by that?**  
6 A. This was referring to me doing  
7 intelligence work on some of the people that  
8 opposed Giuliani's methods, such as not  
9 Minister Farakhan, but the disciple Mohammed  
10 who had problems with Giuliani.  
11 **Q. Okay. And what specifically**  
12 **did you do that you weren't proud of?**  
13 A. I went to his house and sit on  
14 his house and tail him, because he had a  
15 verbal warring match with Giuliani, a verbal  
16 war.  
17 **Q. Anything else?**  
18 A. That's it.  
19 **Q. Is there anything that you**  
20 **recall about Terrance Alston that you haven't**  
21 **told us today?**  
22 A. To the best of my knowledge,  
23 no.  
24 **Q. Is there anything else that you**  
25 **recall or know about the prosecution of**

28 (Pages 106 to 109)

110

1 **PARKER**  
2 Anthony Manganiello that you haven't told us  
3 here today?  
4 MS. FROMMER: Objection. You  
5 can answer.  
6 A. No.  
7 Q. Okay. Prior to coming here  
8 today, did you speak with Detective Luis  
9 Agostini?  
10 A. No.  
11 MS. FROMMER: He already  
12 answered three times that he doesn't  
13 know who he is, Counselor.  
14 Q. Let me ask you generally.  
15 Prior to coming here today, have you spoken  
16 to any other defendant who is named in this  
17 lawsuit?  
18 A. No.  
19 MR. JOSEPH: That's all I have.  
20 MS. FROMMER: I would like to  
21 speak to you.  
22 (Recess taken.)  
23 EXAMINATION BY MS. FROMMER:  
24 Q. I have some follow-up  
25 questions.

111

1 **PARKER**  
2 Detective, did you have any  
3 involvement at all in arresting Anthony  
4 Manganiello?  
5 A. No.  
6 Q. Have you ever met Anthony  
7 Manganiello?  
8 A. No.  
9 Q. Did you have any involvement in  
10 investigating the homicide that occurred at  
11 Parkchester?  
12 A. No.  
13 Q. Did you have any involvement in  
14 prosecuting Anthony Manganiello for a  
15 homicide?  
16 A. No.  
17 MR. JOSEPH: Note an objection  
18 to the last question.  
19 Q. Did you have any conversation  
20 with the district attorney's office about its  
21 prosecution of Anthony Manganiello?  
22 A. No.  
23 Q. Did you ever offer Terrance  
24 Alston a deal or anything of value in  
25 exchange for his information about the

112

1 **PARKER**  
2 Parkchester homicide?  
3 A. No.  
4 Q. You testified earlier that  
5 Terrance Alston gave you information about  
6 gang members and hip-hop activity, correct?  
7 A. Correct.  
8 Q. That were unrelated to the  
9 information he gave you about the Parkchester  
10 homicide, correct?  
11 A. Correct.  
12 Q. Did you investigate the  
13 information that he gave you about gang  
14 activity and the hip-hop activity?  
15 A. Yes.  
16 Q. And when you investigated that  
17 information, did you verify what Terrance  
18 Alston told you was accurate?  
19 A. Yes.  
20 Q. Did you ever investigate any  
21 information that Terrance Alston told you and  
22 found that was inaccurate?  
23 A. No.  
24 Q. Did anyone from the district  
25 attorney's office ever request Terrance

113

1 **PARKER**  
2 Alston's confidential file from you?  
3 A. No.  
4 Q. Did you make a decision that  
5 Terrance Alston would be a witness for the  
6 prosecution against Anthony Manganiello?  
7 A. No.  
8 Q. Did you ever urge or encourage  
9 the prosecution to use Terrance Alston as a  
10 witness in the homicide investigation?  
11 A. No.  
12 Q. One last question, Detective.  
13 Is it fair to say that some of the comments  
14 in your book contain personal opinions?  
15 A. Yes.  
16 Q. Okay. Which can be subjective  
17 in nature?  
18 MR. JOSEPH: Objection.  
19 A. Yes.  
20 Q. Thank you. Is it fair to say  
21 that some of the statements that were read or  
22 picked out in your examination contain  
23 statements that could be personal or  
24 subjective in nature?  
25 MR. JOSEPH: Objection.

29 (Pages 110 to 113)

118

1 PARKER  
2 MR. JOSEPH: Okay.  
3 Q. What activity did he give you  
4 about that Blood?  
5 MS. FROMMER: He can answer  
6 general activity, but nothing  
7 specific.  
8 A. That he was involved in gang  
9 activities.  
10 Q. Okay. Did he give you any  
11 information on any specific crimes concerning  
12 this Blood?  
13 A. Yes, he did.  
14 Q. What crimes did this Blood  
15 allegedly commit?  
16 DI MS. FROMMER: Objection. I am  
17 going to instruct him not to answer.  
18 Q. Do you have a recollection, as  
19 you sit here right now, of what crime that  
20 Blood actually committed?  
21 MS. FROMMER: That is a  
22 yes-or-no question. You can answer  
23 only yes or no.  
24 A. I don't recall, no.  
25 Q. Okay, do you know, as you sit

119

1 PARKER  
2 here right now, do you recall whether that  
3 Blood was arrested and convicted?  
4 A. Not that I recall.  
5 Q. So how do you know that  
6 information was accurate that Mr. Alston  
7 provided you?  
8 MS. FROMMER: Objection. You  
9 can answer.  
10 A. Because speaking with other  
11 detectives, I determined that this guy was a  
12 Blood.  
13 Q. Okay. So the only verification  
14 that you had concerning Mr. Alston's  
15 statement was speaking with other detectives?  
16 MS. FROMMER: Objection.  
17 Q. Correct?  
18 MS. FROMMER: You can answer.  
19 A. Other cops, other detectives.  
20 Q. Is that a yes?  
21 A. Yes.  
22 Q. You said he also gave you some  
23 information on hip-hop activity.  
24 What information did he give  
25 you?

120

1 PARKER  
2 DI MS. FROMMER: Objection. I am  
3 going to instruct him not to answer.  
4 Q. What was the nature of the  
5 information he gave you?  
6 DI MS. FROMMER: I am going to  
7 instruct him not to answer. You can  
8 answer only generally. This is all  
9 protected by privilege. You can  
10 answer generally.  
11 MR. JOSEPH: It is actually  
12 not.  
13 MS. FROMMER: You can answer  
14 generally, but I am instructing you  
15 not to answer anything specific.  
16 A. About a music artist.  
17 Q. What did he tell you in general  
18 about the music artist?  
19 MS. FROMMER: Without giving  
20 any identifying information or any  
21 other specific information.  
22 A. Tied to gang activity.  
23 \*R Q. Okay. Did he give you anything  
24 more specific other than this hip-hop artist  
25 was tied to gang activity?

121

1 PARKER  
2 MS. FROMMER: You are asking if  
3 he said anything other than what I am  
4 allowing him to testify to?  
5 MR. JOSEPH: No. I am asking  
6 if Mr. Alston's comments were more  
7 specific than that or is it generally  
8 he was tied to gang activities.  
9 MS. FROMMER: Counsel, I  
10 instructed him to couch his answer to  
11 only give general information. You  
12 are taking now my instruction and you  
13 are deeming that to be his answer.  
14 MR. JOSEPH: No, no.  
15 MS. FROMMER: You are. I  
16 instructed him to say something  
17 general.  
18 MR. JOSEPH: Mark it for a  
19 ruling.  
20 MS. FROMMER: My client  
21 followed my instruction and now you  
22 have mischaracterized his answer which  
23 was based specifically on my  
24 instruction which is protected by  
25 privilege.

31 (Pages 118 to 121)



122

124

1 PARKER 1  
 2 DI I am instructing him not to 2  
 3 answer, because you have my 3  
 4 instruction. 4  
 5 Q. Did Mr. Alston provide you with 5  
 6 specific activity of criminal misconduct 6  
 7 concerning a hip-hop artist? 7  
 8 MS. FROMMER: You can answer. 8  
 9 A. He did. 9  
 10 Q. Okay. Was that hip-hop artist 10  
 11 ever arrested, charged or convicted? 11  
 12 A. That I don't recall. 12  
 13 Q. How do you know that the 13  
 14 information that he provided to you was 14  
 15 accurate? 15  
 16 MS. FROMMER: You can answer. 16  
 17 A. Because I got that information 17  
 18 from someone else, that this guy was engaged 18  
 19 in some gang activity. 19  
 20 Q. Was this "someone else" a 20  
 21 police officer? 21  
 22 A. No. 22  
 23 Q. Was this "someone else" another 23  
 24 confidential informant? 24  
 25 A. No. 25

123

125

1 PARKER 1  
 2 Q. Without telling me the person's 2  
 3 name, what was the relationship of this 3  
 4 particular person? 4  
 5 A. It was a person in the music 5  
 6 industry. 6  
 7 Q. Was this person within the 7  
 8 music industry facing any criminal charges at 8  
 9 the time? 9  
 10 A. Not that I recall. 10  
 11 Q. Did you give this person in the 11  
 12 music industry any money? 12  
 13 A. No, no. 13  
 14 Q. Was this hip-hop artist ever 14  
 15 convicted of any crime that in any way 15  
 16 relates to gang activity? 16  
 17 MS. FROMMER: Objection. You 17  
 18 can answer. 18  
 19 A. No. 19  
 20 Q. Okay. Sir, has Mr. Alston ever 20  
 21 provided you with any information that 21  
 22 actually resulted in a conviction? 22  
 23 MS. FROMMER: Objection. You 23  
 24 can answer, if you can. 24  
 25 A. Not that I recall. 25

PARKER  
 MR. JOSEPH: I have nothing  
 further.  
 MS. FROMMER: One second,  
 please.  
 (Discussion off the record.)  
 MS. FROMMER: Yes, I have  
 nothing further. I will be looking  
 for my copy of the book in the mail.  
 MR. JOSEPH: Okay.  
 MS. FROMMER: As well the  
 deposition transcripts of the other  
 three.  
 MR. JOSEPH: Okay.  
 (Time noted: 3:08 p.m.)

ACKNOWLEDGMENT

1 STATE OF )  
 2 ) ss.:  
 3 COUNTY OF )  
 4 )

1 I, DERRICK PARKER, hereby  
 2 certify that I have read the transcript of my  
 3 testimony taken under oath in my deposition;  
 4 that the transcript is a true, complete and  
 5 correct record of my testimony, and that the  
 6 answers on the record as given by me are true  
 7 and correct.  
 8  
 9  
 10  
 11  
 12  
 13  
 14  
 15  
 16  
 17

DERRICK PARKER

18 Signed and subscribed to before  
 19 me, this day of ,  
 20 2007.

Notary Public, State of \_\_\_\_\_

32 (Pages 122 to 125)